



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

SEP 13 2016

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Julian Rigby  
Alma Brightleaf Blueberry Farms, Inc.  
214 Eason Drive  
Alma, Georgia 31510

Re: Administrative Compliance Order on Consent  
Docket No.: CWA-04-2016-5757

Dear Mr. Rigby:

Enclosed please find the executed Administrative Compliance Order on Consent, Docket No.: CWA-04-2016-5757. The U.S. Environmental Protection Agency Region 4 has retained the original document for our enforcement files.

Thank you for your cooperation in this matter. If you have any further comments or questions, please contact Mr. Joel Strange, of my staff, at (404) 562-9455.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Giattina".

James D. Giattina  
Director  
Water Protection Division

Enclosure

cc: Mr. Terry Kobs, U.S. Army Corps of Engineers, Albany, GA



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4**

**IN THE MATTER OF:**

**JULIAN RIGBY and  
ALMA BRIGHTLEAF BLUEBERRY  
FARMS, INC.  
ALMA, GEORGIA**

**RESPONDENTS**

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)  
) **ADMINISTRATIVE**

)  
) **COMPLIANCE ORDER  
ON CONSENT**

)  
)  
)  
) **Docket No.: CWA-04-2016-5757**

**I. Statutory Authority**

1. Section 309(a) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(a), provides that, whenever the U.S. Environmental Protection Agency ("EPA") finds that any person is in violation of any condition or limitation which implements, *inter alia*, Sections 301 and 404 of the CWA, 33 U.S.C. §§ 1311 and 1344, EPA may issue an order requiring such person to comply with such condition or limitation, and shall specify a time for compliance that EPA determines to be reasonable.

2. The following Findings of Fact and Determinations of Law are made and this Administrative Compliance Order on Consent ("AOC") is issued pursuant to the authority vested in EPA by Section 309(a) of the CWA, 33 U.S.C. § 1319(a), as amended. The authority to issue this AOC has been delegated from the Administrator of the EPA to the Regional Administrator of the EPA, Region 4. The Regional Administrator has further delegated this authority to the Director of the Water Protection Division, EPA, Region 4.

**II. Findings of Fact and Determinations of Law**

Upon consent of the parties by their attorney(s) and authorized officials, the parties stipulate and find that the following facts are true and substantiated:

3. This AOC pertains to the deposition of dredged and/or fill material into jurisdictional wetlands and waters of the United States including approximately 24.6 acres of wetlands adjacent to three unnamed tributaries of Tenmile Creek. Tenmile Creek is a perennial tributary of Hurricane Creek, which flows to the Alabama River, a navigable-in-fact water of the United States, located near latitude 31.522414° N and longitude -82.374183° W ("Discharge Area") (see Exhibits A and B). The deposition of the dredged and/or fill material occurred during the conversion of wetlands for blueberry production activities on the Site. The Discharge Area contains three separate parcels further identified in Exhibits A and B.



4. Mr. Julian Rigby, is a person within the definition set forth under Section 502(5) of the CWA, 33 U.S.C. § 1362(5), and Alma Brightleaf Blueberry Farms, Inc., is a company duly organized under the laws of the State of Georgia and, as such, is a person within the definition set forth under Section 502(5) of the CWA, 33 U.S.C. § 1362(5) (collectively, Mr. Julian Rigby and Alma Brightleaf Blueberry Farms, Inc., hereinafter shall be called "Respondents").

5. Respondents, at all times relevant to this AOC, were the owners and/or operators of the three tracts of land located near or adjacent to Highway 32 near the town of Alma, Bacon County, Georgia ("the Site") that contains the Discharge Area.

6. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants by any person into waters of the United States except in compliance with a permit issued under, *inter alia*, Section 404 of the CWA, 33 U.S.C. § 1344; or if the discharge meets the requirements for an exemption under Section 404(f) of the CWA, 33 U.S.C. § 1344(f).

7. Commencing on or about January 2012 to the present, Respondents, and/or those acting on behalf of Respondents, discharged dredged and/or fill material into jurisdictional wetlands on the Site using earth moving machinery, during activities associated with the conversion of wetlands to agricultural land. To date, the dredge and/or fill material remains in waters of the United States.

8. Respondents' unauthorized activities impacted approximately 24.6 acres of wetlands adjacent to three unnamed tributaries of Tenmile Creek, a tributary of the Alabama River, a navigable-in-fact water of the United States.

9. The discharged dredged and/or fill material, including earthen material deposited at the Discharge Area, are "pollutants" as defined under Section 502(6) of the CWA, 33 U.S.C. § 1362(6).

10. The earth moving machinery employed by Respondents to deposit the dredged and/or fill material at the Discharge Area are "point sources" as defined in Section 502(14) of the CWA, 33 U.S.C. § 1362(14).

11. A "discharge of a pollutant" as defined in Section 502(12)(A) of the CWA, 33 U.S.C. § 1362(12)(A), is any addition of any pollutant to navigable waters from any point source.

12. Respondents' placement of the dredged and/or fill material into the Discharge Area constitutes a "discharge of pollutants" as defined in Section 502(12) of the CWA, 33 U.S.C. § 1362(12).

13. The term "navigable waters" as defined in Section 502(7) of the CWA, 33 U.S.C. § 1362(7), means the waters of the United States, including the territorial seas.



14. The Discharge Area includes "navigable waters" as that term is defined in Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

15. At no time during the discharge of dredged and/or fill material into the Discharge Area from January 2013, to present, did Respondents possess a permit under Section 404 of the CWA, 33 U.S.C. § 1344, authorizing the discharge of dredged and/or fill material by Respondents. Each discharge by Respondents of pollutants into navigable waters without the required permit issued under Section 404 of the CWA, 33 U.S.C. § 1344, is a violation of Section 301(a) of the CWA, 33 U.S.C. § 1311(a).

16. Each day the material discharged by Respondents remains in waters of the United States without meeting the exemption requirements or possessing the required permit under Section 404 of the CWA, 33 U.S.C. § 1344, constitutes a day of violation of Section 301 of the CWA, 33 U.S.C. § 1311.

17. Therefore, Respondents have violated Section 301 of the CWA, 33 U.S.C. § 1311, by discharging pollutants into navigable waters without a permit.

### **III. Agreement on Consent**

Based on the foregoing **FINDINGS OF FACT AND DETERMINATIONS OF LAW** and under the authority of Section 309(a) of the CWA, (33 U.S.C. §1319(a)), **THE RESPONDENT HEREBY AGREES AND CONSENTS TO THE PROVISIONS OF THE PARAGRAPHS BELOW.**

18. Respondents agree to the following:

a. Respondents shall restore the Site in accordance with the restoration plan prepared by RLC, Inc., dated June 14, 2016 (Exhibit C).

b. Within 30 days after the Effective Date of this AOC, Respondents shall notify the EPA of the anticipated construction start date for the restoration. Restoration must be completed within 180 days of the Effective Date of the AOC unless an extension is granted by the EPA.

c. Within 30 days after completion of the restoration, Respondents shall submit a written statement of completion and schedule an inspection by EPA of the restored site. At the inspection, the EPA will determine if the work has met the restoration criteria outlined in Exhibit C.

19. Any documentation required to be submitted in this AOC shall be mailed to the following address:

Mr. Joel Strange  
U.S. Environmental Protection Agency  
Marine Regulatory and Wetlands Enforcement Section, 15<sup>th</sup> Floor





61 Forsyth Street, S.W.  
Atlanta, GA 30303-8960

#### **IV. General Provisions**

20. The provisions of this AOC shall apply to and be binding upon Respondents, their agents, servants, employees, successors, and assigns.

21. If the Site is transferred prior to completion of the requirements of this AOC, such transfer will not absolve Respondents from the responsibility of implementing and completing the obligations under this AOC or ensuring that these requirements have been met. Completion of the requirements of this AOC will remain the responsibility of Respondents.

22. This AOC is not and shall not be construed to be a permit under the CWA or its implementing regulations. This AOC does not exempt Respondents from compliance with, or the requirements to obtain, any city, county, or state permits or authorizations before proceeding with the restoration activities.

23. Respondents acknowledge the jurisdiction of the EPA to issue this AOC.

24. Respondents waive any and all claims for relief and otherwise available rights or remedies to judicial or administrative review which Respondents may have with respect to any issue of fact or law set forth in this AOC, including, but not limited to, any right of judicial review of this AOC under the Administrative Procedure Act 5 U.S.C. §§ 701-706.

25. This AOC does not constitute a waiver, suspension, or modification of the terms and conditions of the CWA or its implementing regulations. Issuance of or compliance with this AOC does not relieve Respondents from responsibility to comply with all requirements of the CWA, its implementing regulations, and any legal order issued under the CWA or its regulations.

26. Issuance of this AOC shall not be deemed an election by the EPA to forego any administrative, civil, or criminal action to seek penalties, fines, or other appropriate relief under the CWA for the violations set forth in the Findings.

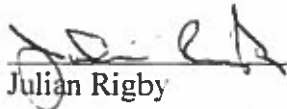
27. Failure to comply with the terms of this AOC may result in Respondents' liability for statutory civil penalties under Section 309(d) of the CWA, 33 U.S.C. § 1319(d), as modified by 40 C.F.R. Part 19. Should the EPA commence an action seeking penalties for violations of this AOC, a United States District Court may impose civil penalties if the court determines that Respondents have violated the CWA and failed to comply with the terms of the AOC.



**V. Effective Date**

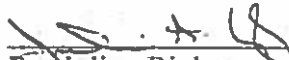
28. This AOC shall become effective upon the Respondents' receipt of the signed AOC.

**FOR RESPONDENT JULIAN RIGBY:**

  
\_\_\_\_\_  
Julian Rigby


Date: 8-15-16

**FOR RESPONDENT ALMA BRIGHTLEAF BLUEBERRY FARMS, INC.**

  
\_\_\_\_\_  
By: Julian Rigby  
As Its: Chief Executive Officer

Date: 8-15-16

**FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY:**

  
\_\_\_\_\_  
James D. Giattina  
Director  
Water Protection Division  
U.S. Environmental Protection Agency  
Region 4

Date: 9/7/16



# FARM POND EXEMPTION

Date: 1/28/2014

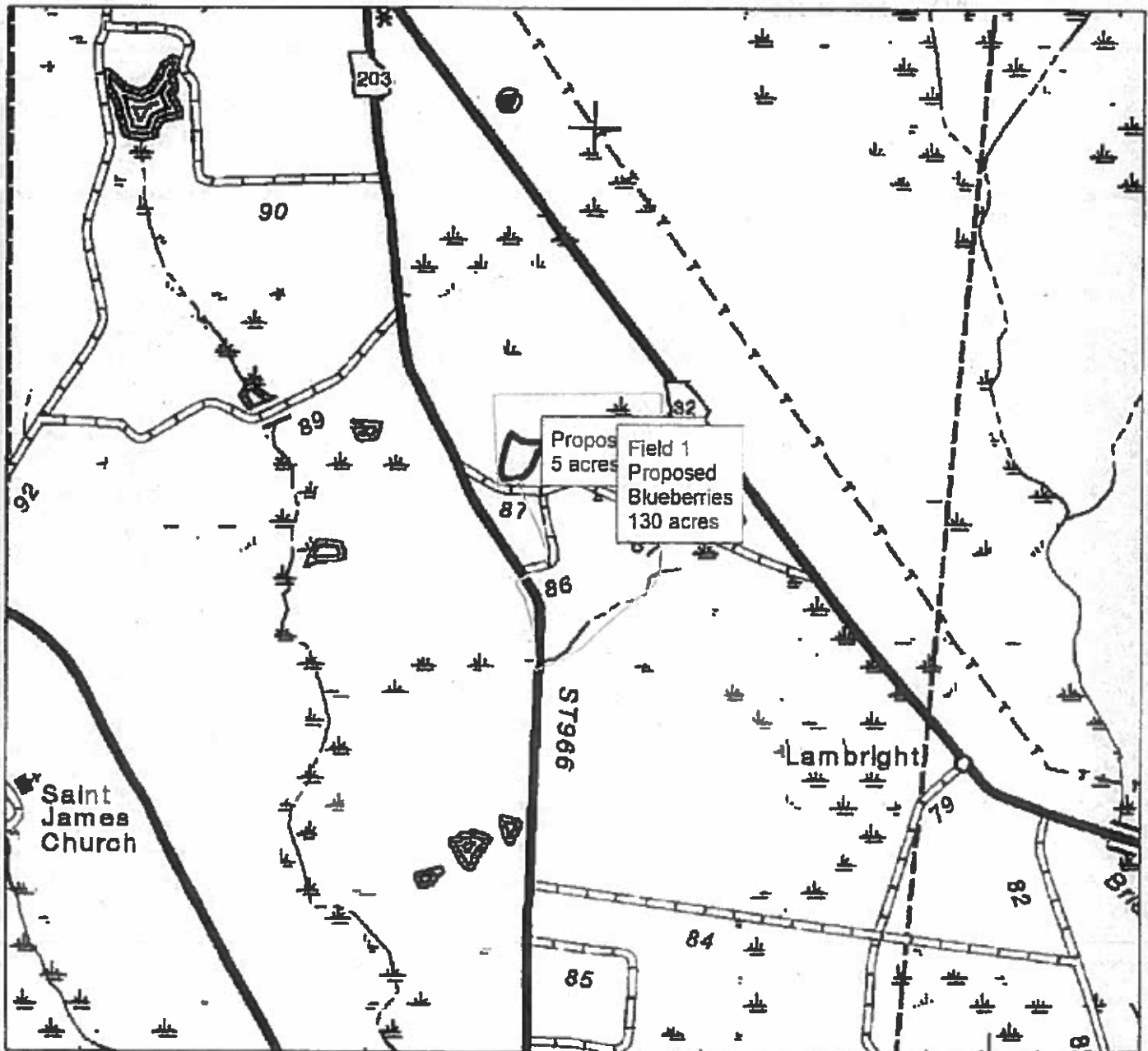
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: Stacy M Floyd



## Legend

□ Conspant-81233

■ Proposed Pond



470 0 470 940 1,410 1,880 Feet

N



912- 443- 5898

## FARM POND EXEMPTION INFORMATION PAPER

PRODUCER INFORMATION					
Name:	JULIAN RIGBY      PROPOSED POND #2				
Mailing Address:	214 EASON DR				
City, State, Zip Code:	ALMA GA 31510-4216			County:	BACON
POND INFORMATION <sup>1/2</sup>					
<b>Primary Purpose of Pond</b> (Check the applicable purpose)					
Agricultural Irrigation <input type="checkbox"/> Livestock Water Supply <input type="checkbox"/> Proposed Agricultural Irrigation    X <input checked="" type="checkbox"/> Proposed Livestock Water Supply <input type="checkbox"/> Recreation (Non-Farm Pond) <input type="checkbox"/>					
		Location:		-82.361185	Lon. 31.528731      Lat
Size at Normal Pool (acres):		5.7 AC.		Estimated Storage at normal pool (Ac-ft): 22.8 AC.-FT	
<sup>2</sup> Non-Farm Ponds, Proposed Agricultural Irrigation Ponds, Proposed Livestock Water Supply Ponds and ponds having a normal pool size larger than 10 acres must be directed to the USACE.					
<sup>2</sup> Proposed Purposes are operations where the landowners are not currently irrigating crops or producing livestock.					
AGRICULTURE OR LIVESTOCK PRODUCTION INFORMATION <sup>2</sup>					
Crop Type:	BLUEBERRIES	Cropped Acreage (ac.):	170ac.	Crop Water Needs (ac-ft)	255ac.-ft.
Livestock Type:	N/A	Herd Size (hd)	N/A	Livestock Water Needs (ac-ft)	N/A
				Additional Water Needs (ac-ft)	N/A
				Total Farm Water Needs (ac-ft)	255ac.-ft.
<sup>2</sup> A water budget must be attached to this document justifying the above values.					

## **WATER BUDGET FOR JULIAN RIGBY**

**PROPOSED BLUEBERRIES TO BE IRRIGATED:**

**170 ACRES X 1.5 AC.FT. = 255 AC. FT. CROP NEEDS REQUIRED**

### **PROPOSED PONDS**

**PROPOSED POND#1**

**9 SURFACE AREA ACRES X 10 FT DEEP X 0.4 SLOPE FACTOR = 36 AC. FT.**

**PROPOSED POND #2**

**5.7 SURFACE AREA ACRES X 10 FT DEEP X 0.4 SLOPE FACTOR = 22.8 AC. FT.**

**PROPOSED POND #3**

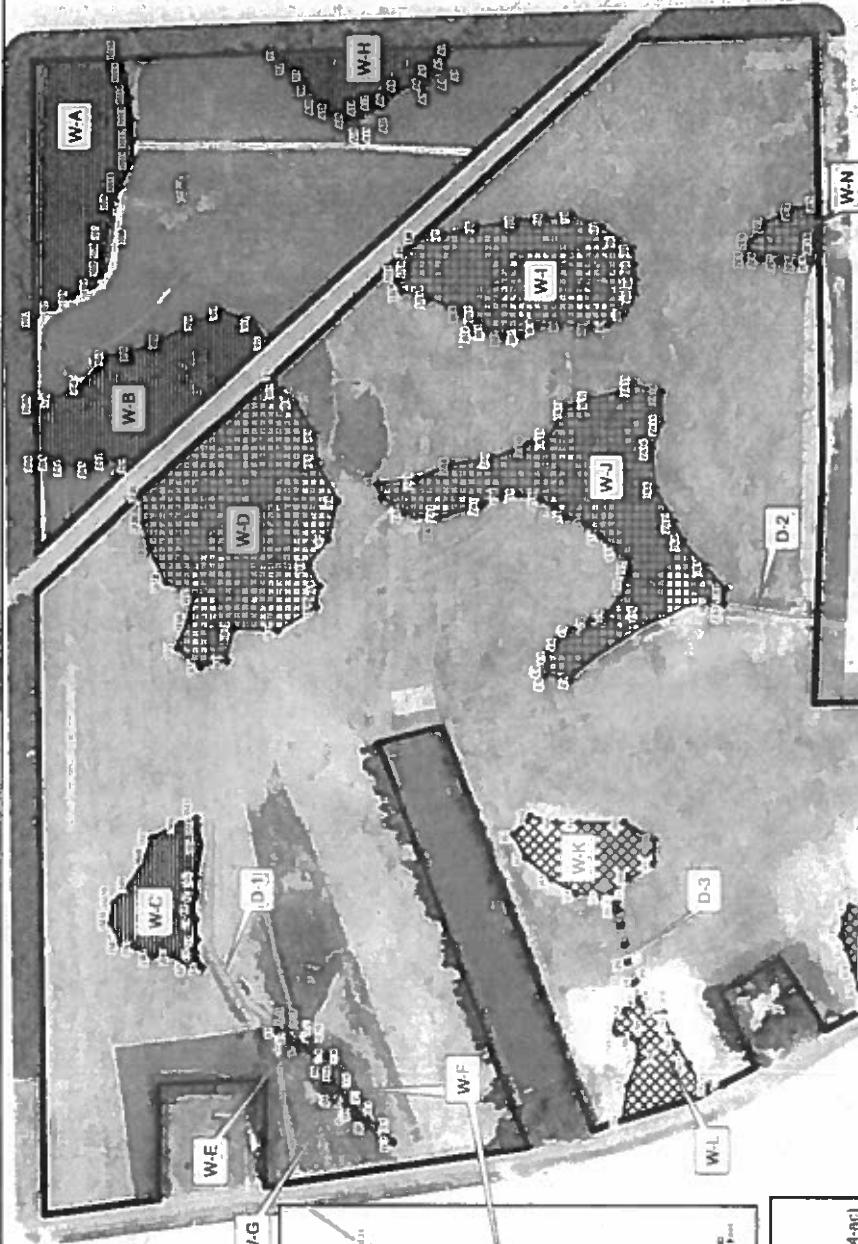
**9 SURFACE AREA ACRES X 10 FT DEEP X 0.4 SLOPE FACTOR = 36 AC. FT.**

**TOTAL CAPACITY FOR PROPOSED PONDS IS 94.8 AC. FT**

**TOTAL CROP NEED IS 255 AC. FT.**

**PROPOSED PONDS CAPACITY DOES NOT EXCEED CROP NEEDS**





**APPROXIMATE PROPERTY BOUNDARY**  
**FILLED WETLAND (±5.16-ac)**  
**CLEARED & STUMPED WETLAND (±23.34-ac)**  
**DITCH (±0.43-ac, 2 (R/R-I))**  
**IN COMPLIANCE WETLAND (±13.57-ac)**

Cell Number	Current Condition	Proposed Condition
W-1	WETLAND	WETLAND
W-2	WETLAND	WETLAND
W-3	WETLAND	WETLAND
W-4	WETLAND	WETLAND
W-5	WETLAND	WETLAND
W-6	WETLAND	WETLAND
W-7	WETLAND	WETLAND
W-8	WETLAND	WETLAND
W-9	WETLAND	WETLAND
W-10	WETLAND	WETLAND
W-11	WETLAND	WETLAND
W-12	WETLAND	WETLAND
W-13	WETLAND	WETLAND
W-14	WETLAND	WETLAND
W-15	WETLAND	WETLAND
W-16	WETLAND	WETLAND
W-17	WETLAND	WETLAND
W-18	WETLAND	WETLAND
W-19	WETLAND	WETLAND
W-20	WETLAND	WETLAND
W-21	WETLAND	WETLAND
W-22	WETLAND	WETLAND
W-23	WETLAND	WETLAND
W-24	WETLAND	WETLAND
W-25	WETLAND	WETLAND
W-26	WETLAND	WETLAND
W-27	WETLAND	WETLAND
W-28	WETLAND	WETLAND
W-29	WETLAND	WETLAND
W-30	WETLAND	WETLAND
W-31	WETLAND	WETLAND
W-32	WETLAND	WETLAND
W-33	WETLAND	WETLAND
W-34	WETLAND	WETLAND
W-35	WETLAND	WETLAND
W-36	WETLAND	WETLAND
W-37	WETLAND	WETLAND
W-38	WETLAND	WETLAND
W-39	WETLAND	WETLAND
W-40	WETLAND	WETLAND
W-41	WETLAND	WETLAND
W-42	WETLAND	WETLAND
W-43	WETLAND	WETLAND
W-44	WETLAND	WETLAND
W-45	WETLAND	WETLAND
W-46	WETLAND	WETLAND
W-47	WETLAND	WETLAND
W-48	WETLAND	WETLAND
W-49	WETLAND	WETLAND
W-50	WETLAND	WETLAND
W-51	WETLAND	WETLAND
W-52	WETLAND	WETLAND
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W-69	WETLAND	WETLAND
W-70	WETLAND	WETLAND
W-71	WETLAND	WETLAND
W-72	WETLAND	WETLAND
W-73	WETLAND	WETLAND
W-74	WETLAND	WETLAND
W-75	WETLAND	WETLAND
W-76	WETLAND	WETLAND
W-77	WETLAND	WETLAND
W-78	WETLAND	WETLAND
W-79	WETLAND	WETLAND
W-80	WETLAND	WETLAND
W-81	WETLAND	WETLAND
W-82	WETLAND	WETLAND
W-83	WETLAND	WETLAND
W-84	WETLAND	WETLAND
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W-90	WETLAND	WETLAND
W-91	WETLAND	WETLAND
W-92	WETLAND	WETLAND
W-93	WETLAND	WETLAND
W-94	WETLAND	WETLAND
W-95	WETLAND	WETLAND
W-96	WETLAND	WETLAND
W-97	WETLAND	WETLAND
W-98	WETLAND	WETLAND
W-99	WETLAND	WETLAND
W-100	WETLAND	WETLAND

- NOTES:**
1. WETLAND BOUNDARY Delineated ON THIS EXHIBIT WAS ESTABLISHED USING A COMBINATION OF THE FIELD Delineation, Aerial PHOTOGRAPH INTERPRETATION, AND TRIMBLE GEOEXPLORER 2008 SERIES GPS DATA.
  2. FOR PURPOSES OF THIS SURVEY THE LIMITS OF INVESTIGATION WERE NOT LOCATED AND ARE INTENDED ONLY TO REPRESENT THE APPROXIMATE PROPERTY BOUNDARY.

**WETLAND EXHIBIT OF**  
**RIGBY TRACT 1**  
**PARCEL NUMBER 052-132005**  
**CURRENT WETLAND CONDITIONS**  
**BACON COUNTY, GEORGIA**  
**PREPARED FOR:**  
**MR. JULIAN RIGBY**

PROJECT: 14-021  
 DATE: 01/20/2016  
 DRAWN BY: IS  
 CHECKED BY: RC  
 DELINEATION DATE: 08/14/12/15  
 SHEET: 10F1

**RESOURCE+LAND CONSULTANTS**  
 4175A of Commerce Way, Ste. 301  
 Suwanee, Georgia 30088  
 770.441.9906 [www.rlc.com](http://www.rlc.com)

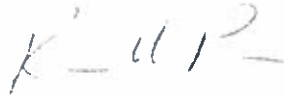
**RLC**

tract. Three classifications of wetlands are present within project area which include Cleared Non-Isolated Wetland ( $\pm 14.6$  acres), Forested Non-Isolated Wetland ( $\pm 8.7$  acres), and Isolated Wetland ( $\pm 1.3$  acre). No significant soil disturbance activities have occurred within the wetlands on this tract. Wetlands B and C have minor brush piles that have been stockpiled during clearing and we propose to remove those brush piles from the wetlands. Any areas which do not contain sufficient native hydrophytic woody species will be planted with native woody shrubs on 10 x 10 spacings. Following removal of the brush piles all wetlands will be in compliance with the Clean Water Act.

In summary, Mr. Rigby has proposed restoration actions for the jurisdictional area encroachments and/or impacts which have occurred within the subject tracts. We are requesting written approval of the proposed resolution plan. Mr. Rigby is now aware that these wetlands are regulated under the Clean Water Act and all future agriculture operations within the Mr. Rigby's properties will operate based on the guidance within Section 404(f)(1) of the Clean Water Act.

We greatly appreciate your assistance with this project. If you have any questions or require any additional information following your review of this package, please do not hesitate to contact us at (912) 443-5896.

Sincerely,



Russell Parr, Sr.  
Project Manager  
Resource & Land Consultants

cc: Mr. Julian Rigby

Enclosures

and W-M were stumped, root raked, and filled. We are proposing to remove fill placed within these wetland areas and restore the area to the pre-impact elevation. Following fill removal these wetlands will be planted with native hydrophytic woody shrubs on 10 x10 ft spacings. Wetland W-N has been cleared and stumped, however surface elevation and hydrology has not been altered within this wetland area. Native hydrophytic herbaceous vegetation is present wetland. We are proposing to plant native hydrophytic woody shrubs on 10 x10 ft spacings within wetland W-N.

Wetlands W-E, W-F, W-G, W-K, W-L, and W-M will be monitored for a period of 1 year to evaluate the vegetation survival and establishment. Vegetation monitoring plots will be evaluated 1 year post-construction to insure survival of the planted shrub species. Vegetative monitoring will be conducted within 1/10<sup>th</sup> acre sampling plots where overall wetland size is not prohibitive. Vegetation monitoring will be accomplished utilizing quadrant sampling procedures for comprehensive wetland determination as described in the 1987 "Corps of Engineers Wetlands Delineation Manual." Species composition and density for all planted and naturally regenerating species will be documented within the plots through photographic and quantitative data. The restoration work will be deemed successful if 70% of the planted shrubs survive during the 1 year monitoring period or if naturally regenerating native species account for 50% coverage within the restoration areas. If the restored areas do not meet the proposed success criteria remedial actions such as additional plantings and/or extended monitoring periods will be required. If the EPA determines that remedial actions are required, the applicant will have 60 days to comply with the remedial actions required.

Label	Acreage	Current Condition	Proposed Resolution Action
D-1	0.16	EXCAVATED DITCH	No action proposed
D-2	0.21	EXCAVATED DITCH	No action proposed
D-3	0.06	EXCAVATED DITCH	No action proposed
W-A	5.06	IN COMPLIANCE WETLAND	No action proposed
W-B	4.54	IN COMPLIANCE WETLAND	No action proposed
W-C	2.17	IN COMPLIANCE WETLAND	Remove debris piles and allow to naturally regenerate
W-D	8.74	CLEARED & STUMPED WETLAND	NRCS Pond Exemption - Construct Irrigation Pond
W-E	0.01	CLEARED & STUMPED WETLAND	Restore native wetland vegetation
W-F	0.32	CLEARED & STUMPED WETLAND	Restore native wetland vegetation
W-G	0.1	CLEARED & STUMPED WETLAND	Restore native wetland vegetation
W-H	1.8	IN COMPLIANCE WETLAND	No action proposed
W-I	5.36	CLEARED & STUMPED WETLAND	NRCS Pond Exemption - Construct Irrigation Pond
W-J	8.07	CLEARED & STUMPED WETLAND	NRCS Pond Exemption - Construct Irrigation Pond
W-K	1.97	FILLED WETLAND	Restore wetland hydrology and native vegetation
W-L	1.48	FILLED WETLAND	Restore wetland hydrology and native vegetation
W-M	1.28	FILLED WETLAND	Restore wetland hydrology and native vegetation
W-N	0.74	CLEARED & STUMPED WETLAND	Restore native wetland vegetation

**Tract 2:** This tract is bordered to the west by forested land and by agricultural land in all other directions. This 6.51 acre tract has been cleared in conjunction with the construction of an irrigation pond approved by the NRCS (See attached documentation). The approximately 4.21 acre cleared wetland area currently contains only herbaceous vegetation. Although the clearing and excavation was conducted as part of the NRCS farm pond exemption, excavated material has been stockpiled adjacent to and within the wetland boundary. We are proposing to construct the irrigation pond as permitted by the NRCS and remove all stockpiled material within the remaining wetland areas. The remaining wetland areas will be planted with native hydrophytic woody shrub species on 10 x 10 ft spacings and no further unauthorized disturbance will occur.

**Tract 3:** This tract is bordered by silviculture land to the north, blueberry production land to the east and west, and commercial and rural development to the south. A total of 24.6 acres of wetland are located within the 244.6 acre



27 June 2016

U.S. Environmental Protection Agency – Region 4  
Wetlands Enforcement Section  
Attn: Mr. Joel Strange  
61 Forsyth Street, SW  
Atlanta, Georgia 30303

**Subject: Resolution Plan  
Rigby Tracts  
Bacon County, Georgia**

**RLC #: 14-021**

Dear Mr. Strange:

Per our previous conversations please find the attached information regarding the land disturbance activities associated with agricultural land development on tracts identified as Area 1 – Parcel 052-143002 (31.551906°, -82.377374°), Area 2 – Parcel 052-133001 (31.530027°, -82.379616°), and Area 3 – Parcel 052-132005 (31.527992°, -82.363799°) located in Alma, Bacon County, Georgia. Site management activities were performed to allow for the production and maintenance/freeze protection of blueberries.

At the request of Mr. Rigby and in coordination with your office, Resource & Land Consultants (RLC) performed an assessment of tracts to determine habitats present, wetland locations, and limits of agricultural activities. The assessment included review of all available information including but not limited to color infrared aerial photography, available historic satellite imagery, U.S. Fish and Wildlife Service National Wetland Inventory, National Elevation Data, U.S. Geographic Survey data, and the Natural Resource Conservation Service Soil Survey Data. Following review of all available data sources, a wetland delineation was performed for Areas 1 and 3, as well as a wetland assessment for Area 2 to determine the extent of disturbance which has occurred within wetlands. These areas were reviewed in the field in August 2014, November 2015, and January 2016. Wetland delineations and assessment were completed in accordance with the regulatory requirements of 33 CFR Part 328 *Definition of Waters of the U.S.*, the *Corps of Engineers Wetland Delineation Manual*, January 1987. Wetlands located in Areas 1 and 3 were located using a Trimble GeoExplorer 2008 GPS System. Data collected during the field assessment was utilized to prepare exhibits depicting the limits of wetland and upland areas within each tract. The findings of our assessment and proposed resolution actions are detailed below for each area.

**Tract 1:** This tract is bisected by State Road 32 and bordered on the west by State Road 203. The tract is surrounded by silvicultural and agricultural lands. Based on our assessment, the 222.1 acre tract contains 42.07 acres of wetland, 0.43 acre (2,636 linear feet) of ditch, and 179.6 acres of upland. Three types of wetland are present within the site included Wetlands In-Compliance (13.57 acres), Cleared Stumped Wetlands (23.34 acres), and Filled Wetlands (5.16 acres). Wetlands in compliance include wetlands W-A, W-B, and W-H northwest of State Road 32 and wetland W-C east of State Road 32. Wetlands W-D, W-E, W-F, W-G, W-I, W-J, W-N have been cleared and stumped and currently contain little to no vegetation. Wetlands W-K, W-L, and W-M have been cleared, stumped and filled.

All In-Compliance wetlands will be allowed to naturally regenerate and no additional soil disturbance will occur within these wetlands, with the exception of Wetland W-C which will have minor debris piles removed. Mr. Rigby has obtained a water budget and associated Farm Pond Exemption from the NRCS to construct irrigation ponds for blueberry production within wetlands W-D, W-I, and W-J. Our proposed resolution plan would allow for these ponds to be constructed in compliance with the NRCS permits found within this package. Wetlands W-E, W-F, and W-G are abutting the existing and maintained agricultural ditch (D-1). These wetlands were degraded scrub shrub wetlands prior to clearing and stumping activities. We are proposing to replant these areas with native hydrophytic native hydrophytic woody shrubs on 10 x10 ft spacings within delineated wetland boundary. Wetlands W-K, W-L,

## FARM POND EXEMPTION INFORMATION PAPER

PRODUCER INFORMATION					
Name:	JULIAN RIGBY PROPOSED POND #3				
Mailing Address:	214 EASON DR				
City, State, Zip Code:	ALMA GA 31510-4216			County:	BACON
POND INFORMATION <sup>1/2</sup>					
Primary Purpose of Pond (Check the applicable purpose)					
Agricultural Irrigation		<input type="checkbox"/>			
Livestock Water Supply		<input type="checkbox"/>			
Proposed Agricultural Irrigation		X <input type="checkbox"/>			
Proposed Livestock Water Supply		<input type="checkbox"/>			
Recreation (Non-Farm Pond)		<input type="checkbox"/>			
Location:		-82.361185	Lon.	31.528731	Lat
Size at Normal Pool (acres)		9.0 AC.	Estimated Storage at normal pool (Ac-ft)	36 AC-FT	
<sup>1</sup> Non-Farm Ponds, Proposed Agricultural Irrigation Ponds, Proposed Livestock Water Supply Ponds and ponds having a normal pool size larger than 10 acres must be directed to the USACE.					
<sup>2</sup> Proposed Purposes are operations where the landowners are not currently irrigating crops or producing livestock					
AGRICULTURE OR LIVESTOCK PRODUCTION INFORMATION <sup>3</sup>					
Crop Type	BLUEBERRIES	Cropped Acreage (ac)	170ac.	Crop Water Needs (ac-ft)	255ac-ft
Livestock Type	N/A	Herd Size (hd)	N/A	Livestock Water Needs (ac-ft)	N/A
			Additional Water Needs (ac-ft)		N/A
			Total Farm Water Needs (ac-ft)		255ac-ft
<sup>3</sup> A water budget must be attached to this document justifying the above values.					



**Producer Certification:** I certify that the above information is accurate to the best of my knowledge. I understand that this exemption does NOT free me from obtaining any other federal, state or local permits for construction of the proposed pond. I understand that if any revisions are made to the project or its intended use, this exemption determination may be invalidated. Should it be determined that the pond has been converted to a non-agricultural use at any point, I may be required to obtain a Department of the Army permit in order to maintain the pond. Any Department of the Army permit application must include an alternatives analysis and mitigation and should a permit not be issued, restoration of the site may be required. A pond exempt from the need for a Department of the Army permit is not exempt from the Georgia Erosion and Sedimentation Control Act of 1975, as amended, or other State regulations.

JULIAN RIGBY  
(Type or print name)

  
(Signature)

1/28/2014  
(Date)

**NRCS Certification:** I certify that this producer has been advised of the requirements as outlined in the NRCS Farm Pond Exemption Guide and in the Field Level Agreement between USACE and NRCS. For Agricultural Irrigation and Livestock Water Supply Ponds sufficient documentation has been provided that defends the need and size of the proposed pond.

STACY FLOYD PROGRAM ANALYST  
(Type or print name and title)

  
(Signature)

1/28/2014  
(Date)


205 SOUTH DIXON STREET  
(Street Address)

ALMA  
(City, State)

31512  
(Zip)

**Producer Certification:** I certify that the above information is accurate to the best of my knowledge. I understand that this exemption does NOT free me from obtaining any other federal, state or local permits for construction of the proposed pond. I understand that if any revisions are made to the project or its intended use, this exemption determination may be invalidated. Should it be determined that the pond has been converted to a non-agricultural use at any point, I may be required to obtain a Department of the Army permit in order to maintain the pond. Any Department of the Army permit application must include an alternatives analysis and mitigation and should a permit not be issued, restoration of the site may be required. A pond exempt from the need for a Department of the Army permit is not exempt from the Georgia Erosion and Sedimentation Control Act of 1975, as amended, or other State regulations.

JULIAN RIGBY  
(Type or print name)

  
(Signature)

1/28/2014  
(Date)

**NRCS Certification:** I certify that this producer has been advised of the requirements as outlined in the NRCS Farm Pond Exemption Guide and in the Field Level Agreement between USACE and NRCS. For Agricultural Irrigation and Livestock Water Supply Ponds sufficient documentation has been provided that defends the need and size of the proposed pond.

STACY FLOYD PROGRAM ANALYST  
(Type or print name and title)

  
(Signature)

1/28/2014  
(Date)

203 SOUTH DIXON STREET  
(Street Address)

ALMA  
(City State)

31510  
(Zip)

## FARM POND EXEMPTION INFORMATION PAPER

PRODUCER INFORMATION					
Name:	JULIAN RIGBY      PROPOSED POND #1				
Mailing Address:	214 EASON DR				
City, State, Zip Code:	ALMA GA 31510-4216			County:	BACON
POND INFORMATION <sup>1/2/</sup>					
Primary Purpose of Pond (Check the applicable purpose)	<input type="checkbox"/> Agricultural Irrigation <input type="checkbox"/> Livestock Water Supply <input checked="" type="checkbox"/> Proposed Agricultural Irrigation <input type="checkbox"/> Proposed Livestock Water Supply <input type="checkbox"/> Recreation (Non-Farm Pond)	Location:	-82 361185	Lon.	31.528731      Lat
Size at Normal Pool (acres)	9.0 AC.	Estimated Storage at normal pool (Ac-ft):	36 AC -FT.		
<sup>1/</sup> Non-Farm Ponds, Proposed Agricultural Irrigation Ponds, Proposed Livestock Water Supply Ponds and ponds having a normal pool size larger than 10 acres must be directed to the USACE.					
<sup>2/</sup> Proposed Purposes are operations where the landowners are not currently irrigating crops or producing livestock.					
AGRICULTURE OR LIVESTOCK PRODUCTION INFORMATION <sup>3/</sup>					
Crop Type	BLUEBERRIES	Cropped Acreage (ac.)	170ac.	Crop Water Needs (ac-ft)	255ac -ft
Livestock Type	N/A	Herd Size (hd).	N/A	Livestock Water Needs (ac-ft)	N/A
			Additional Water Needs (ac-ft)	N/A	
			Total Farm Water Needs (ac-ft)	255ac -ft	
<sup>4/</sup> A water budget must be attached to this document justifying the above values					



**Producer Certification:** I certify that the above information is accurate to the best of my knowledge. I understand that this exemption does **NOT** free me from obtaining any other federal, state or local permits for construction of the proposed pond. I understand that if any revisions are made to the project or its intended use, this exemption determination may be invalidated. Should it be determined that the pond has been converted to a non-agricultural use at any point, I may be required to obtain a Department of the Army permit in order to maintain the pond. Any Department of the Army permit application must include an alternatives analysis and mitigation and should a permit not be issued, restoration of the site may be required. A pond exempt from the need for a Department of the Army permit is not exempt from the Georgia Erosion and Sedimentation Control Act of 1975, as amended, or other State regulations.

JULIAN RIGBY  
(Type or print name)

  
(Signature)

1/28/2014  
(Date)

**NRCS Certification:** I certify that this producer has been advised of the requirements as outlined in the NRCS Farm Pond Exemption Guide and in the Field Level Agreement between USACE and NRCS. For Agricultural Irrigation and Livestock Water Supply Ponds sufficient documentation has been provided that defends the need and size of the proposed pond.

STACY FLOYD PROGRAM ANALYST  
(Type or print name and title)

  
(Signature)

1/28/2014  
(Date)

203 SOUTH DIXON STREET  
(Street Address)

ALMA  
(City, State)

31510  
(Zip)

# FARM POND EXEMPTION

Date: 1/28/2014

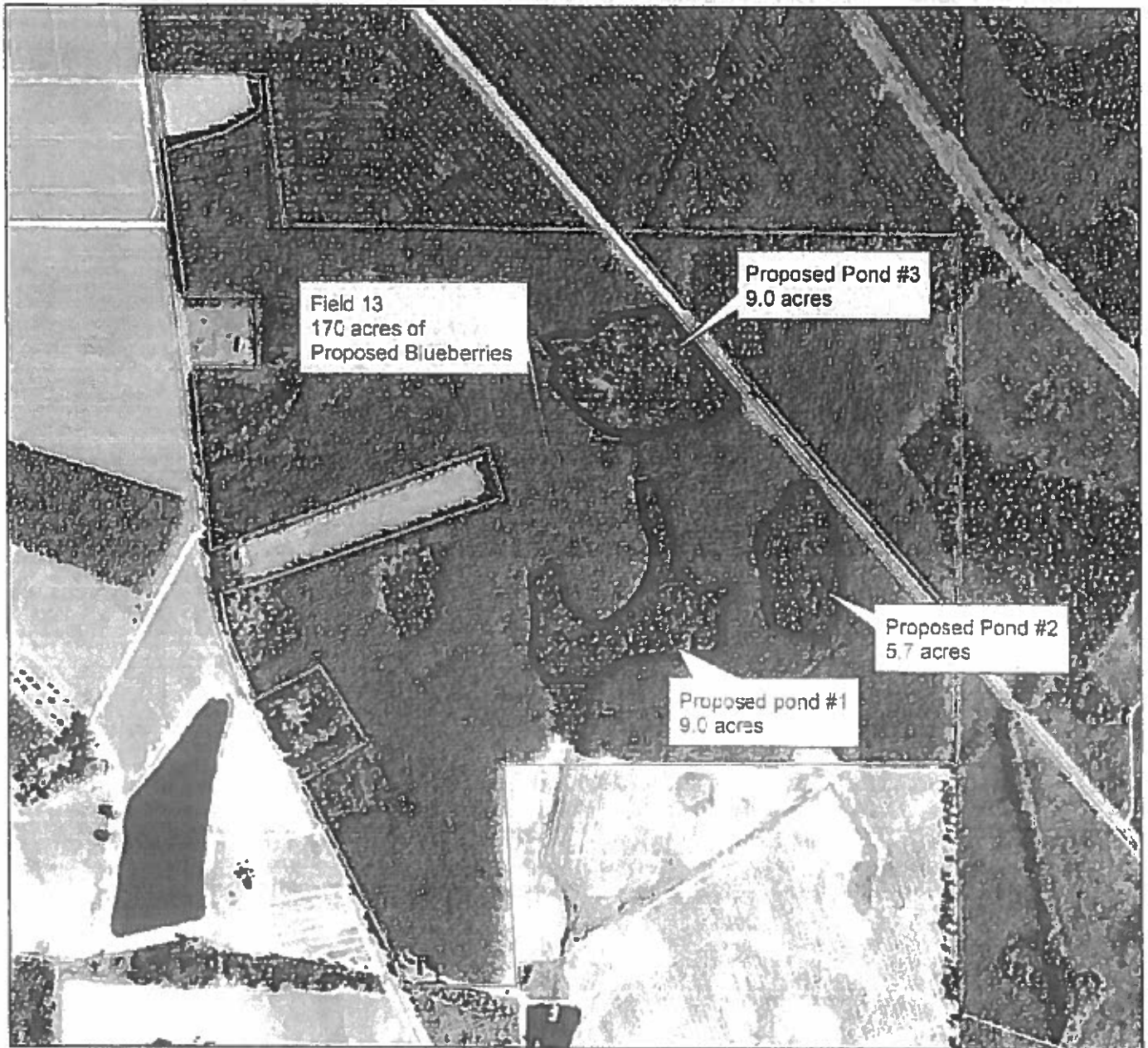
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD



## Legend

-  Proposed Ponds
-  ConsplanT-730



# FARM POND EXEMPTION

Date: 1/28/2014

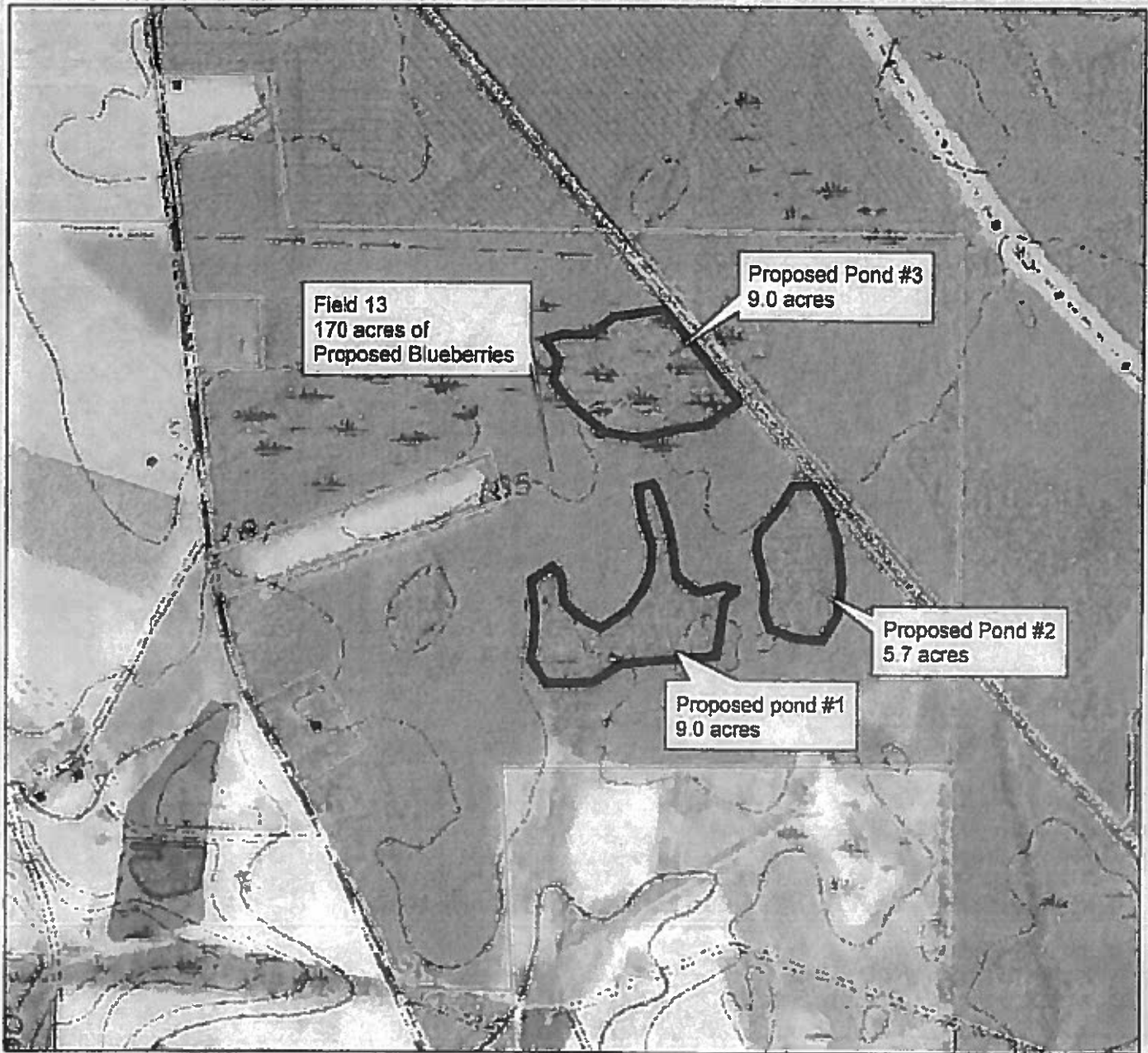
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD



## Legend

-  Proposed Ponds
-  ConsplanT-730



440 0 440 880 1,320 1,760 Feet





# FARM POND EXEMPTION

Date: 1/28/2014

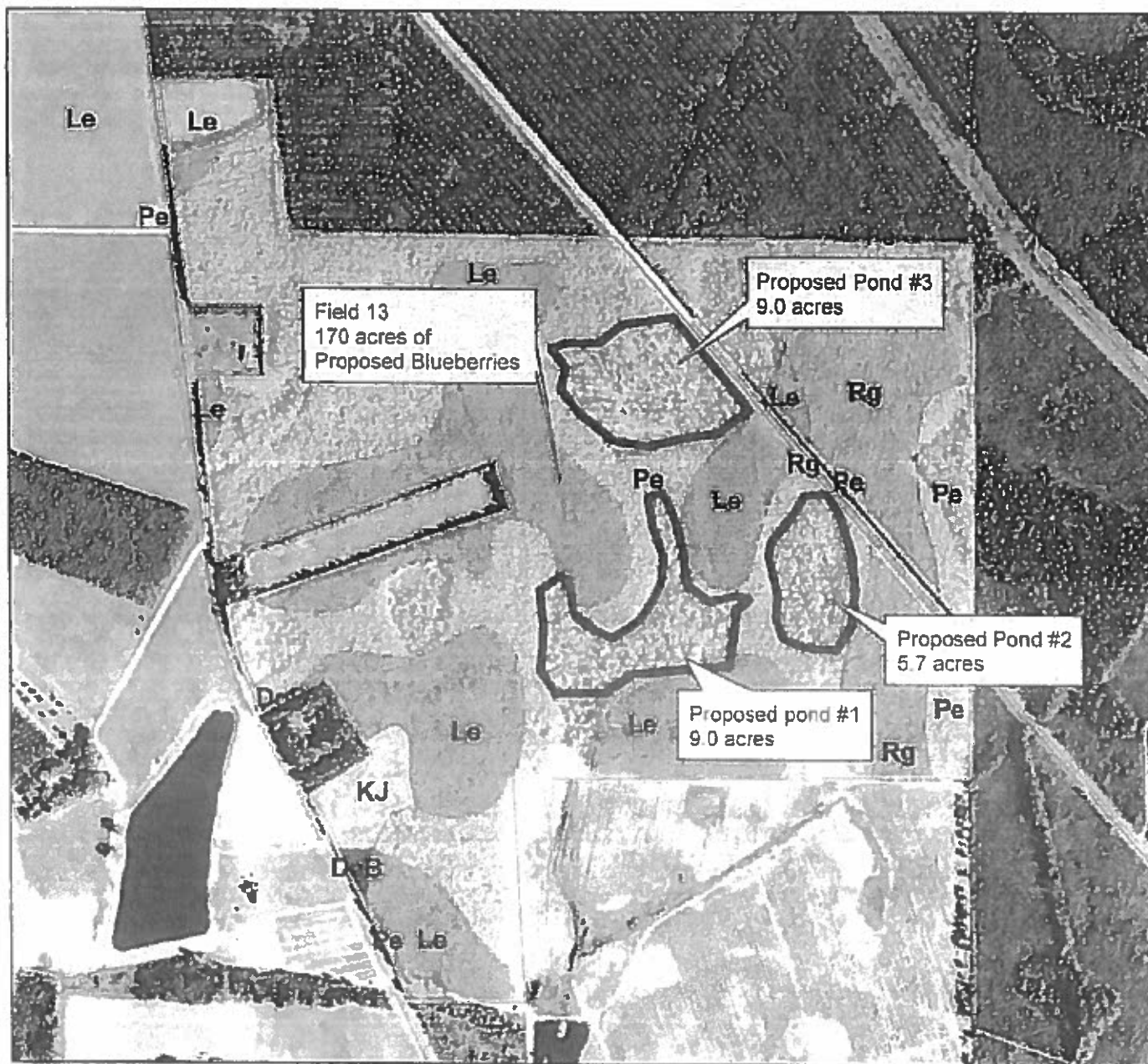
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD



## Legend

**Soils Map**

CnA	KJ	Pe	StA	Proposed Ponds
CeB2	DoB	Le	Rg	W
ConsplanT-730				



440 0 440 880 1,320 1,760  
Feet



# FARM POND EXEMPTION

Date: 1/28/2014

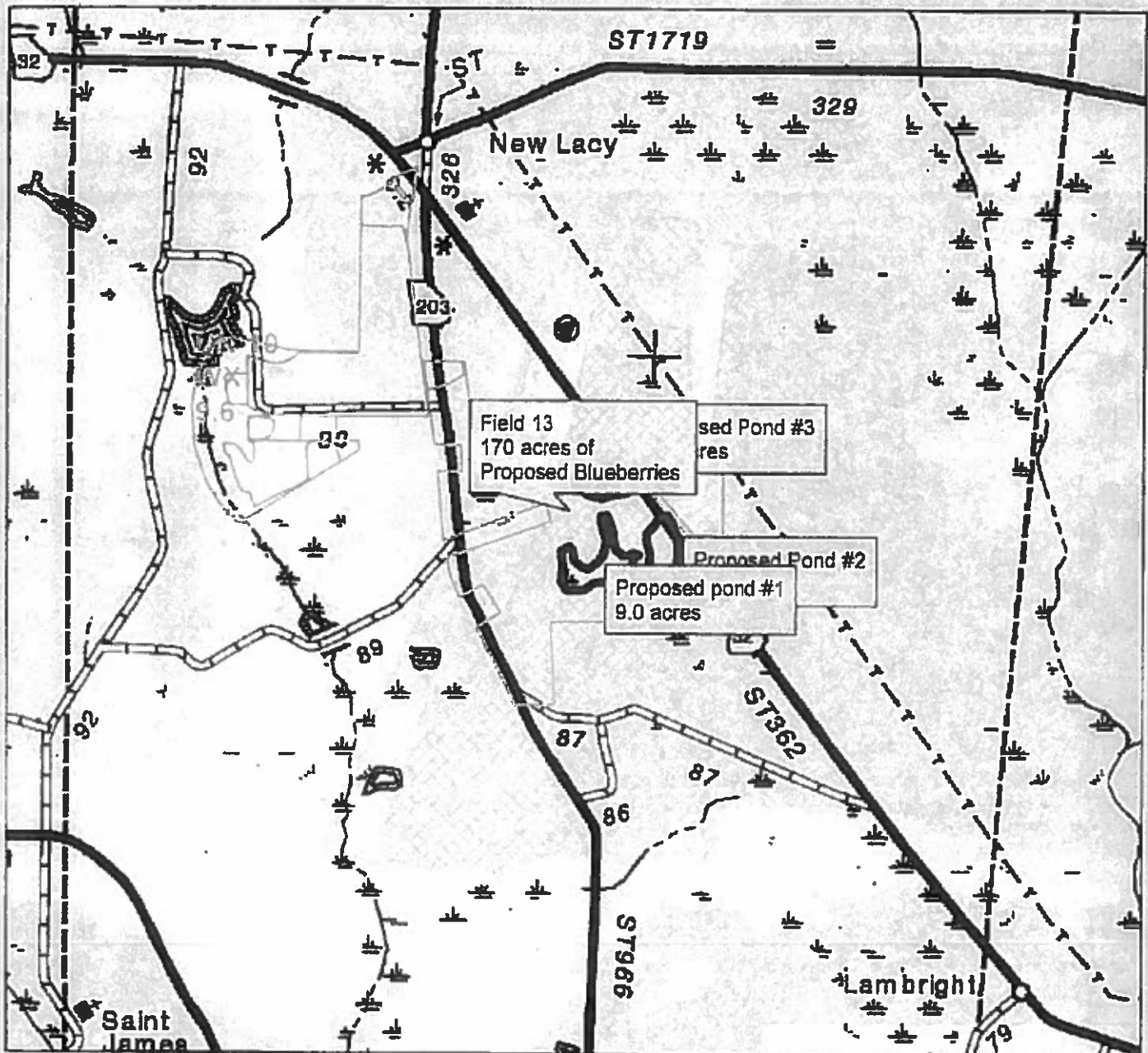
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT



Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD



## Legend

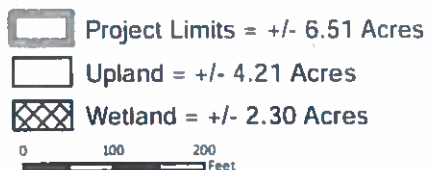
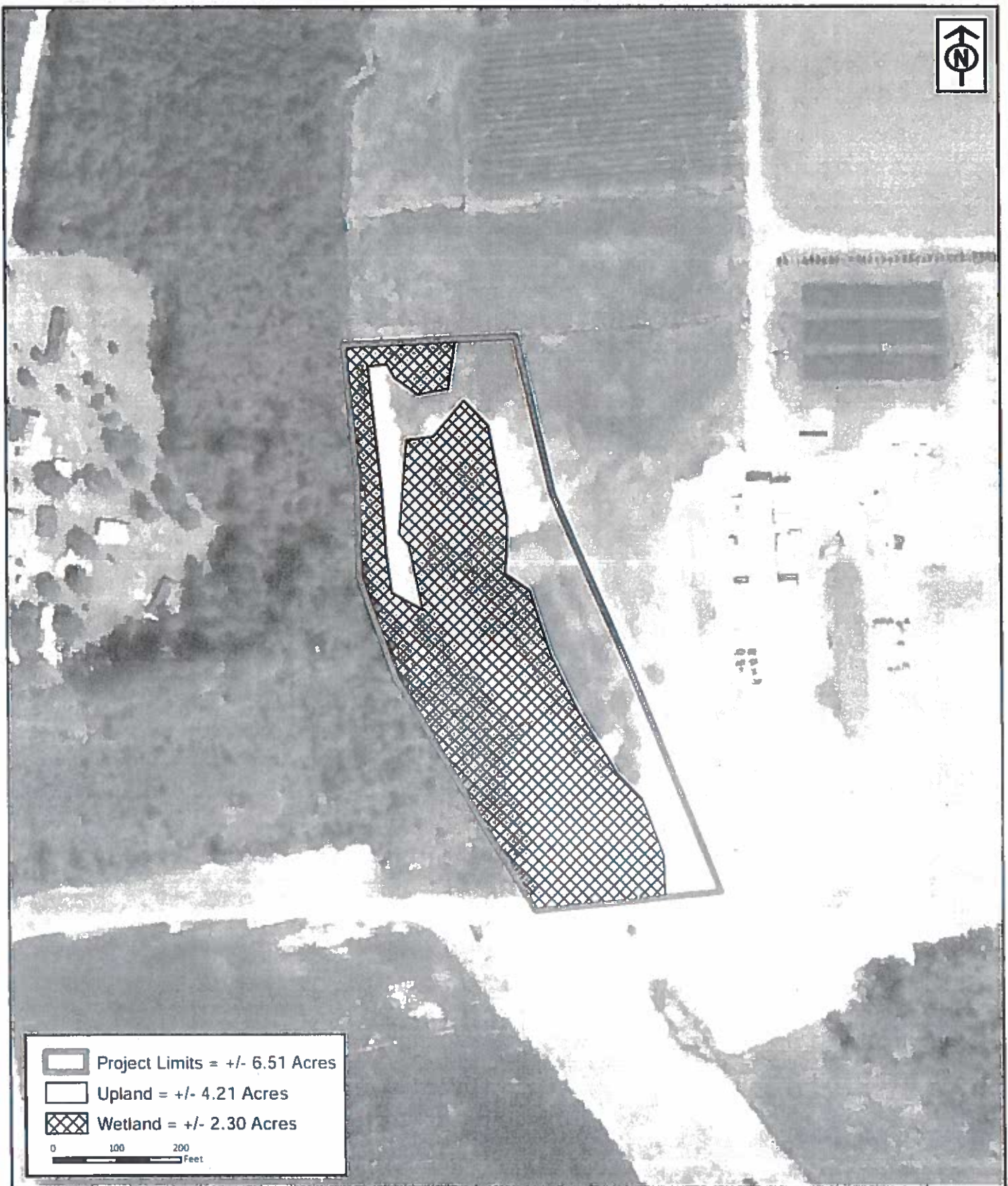
-  Proposed Ponds
-  ConsplanT-730



440 0 440 880 1,320 1,760 Feet







RLC Project No.:	14-021
Figure No.:	1
Prepared By:	RP
Sketch Date:	2/5/2016
Map Scale:	1 inch = 200 feet

**Parcel Number**  
**052-133001**  
Bacon County, Georgia

**Approximate Jurisdictional**  
**Area Determination**  
Prepared For: Mr. Julian Rigby



## FARM POND EXEMPTION INFORMATION PAPER

PRODUCER INFORMATION					
Name:	JULIAN A RIGBY				
Mailing Address:	214 EASON DRIVE				
City, State, Zip Code:	ALMA GA 31510-4216			County:	BACON
POND INFORMATION <sup>1/2/</sup>					
Primary Purpose of Pond (Check the applicable purpose)					
Agricultural Irrigation <input type="checkbox"/>					
Livestock Water Supply <input type="checkbox"/>					
Proposed Agricultural Irrigation <input type="checkbox"/>					
Proposed Livestock Water Supply <input type="checkbox"/>					
Recreation (Non-Farm Pond) <input type="checkbox"/>					
		Location: -82.379501    Lon. 31.529282    Lat.			
Size at Normal Pool (acres):		3.2 acres		Estimated Storage at normal pool (Ac-ft): 10.24 Ac - ft	
<sup>1/</sup> Non-Farm Ponds, Proposed Agricultural Irrigation Ponds, Proposed Livestock Water Supply Ponds and ponds having a normal pool size larger than 10 acres must be directed to the USACE. <sup>2/</sup> Proposed Purposes are operations where the landowners are not currently irrigating crops or producing livestock.					
AGRICULTURE OR LIVESTOCK PRODUCTION INFORMATION <sup>3/</sup>					
Crop Type:	BLUEBERRIES	Cropped Acreage (ac.):	106 AC	Crop Water Needs (ac-ft)	159 ac - ft
Livestock Type:	N/A	Herd Size (hd):	N/A	Livestock Water Needs (ac-ft)	N/A
				Additional Water Needs (ac-ft)	N/A
				Total Farm Water Needs (ac-ft)	159 AC -FT
<sup>3/</sup> A water budget must be attached to this document justifying the above values.					

**4.6 Existing Blueberries + 101.4 ac. Proposed Blueberries = 106 acres**

**106 acres X 1.5 ac. Ft. = 159 ac. Ft. needed**

**Proposed pond 3.2 surfaces area acres X 8' deep X 0.4 slope factor = 10.24 ac. Ft. Total Storage**

**Proposed water storage volume of pond does not exceed water storage volume needed for irrigation.**

**Producer Certification:** I certify that the above information is accurate to the best of my knowledge. I understand that this exemption does **NOT** free me from obtaining any other federal, state or local permits for construction of the proposed pond. I understand that if any revisions are made to the project or its intended use, this exemption determination may be invalidated. Should it be determined that the pond has been converted to a non-agricultural use at any point, I may be required to obtain a Department of the Army permit in order to maintain the pond. Any Department of the Army permit application must include an alternatives analysis and mitigation and should a permit not be issued, restoration of the site may be required. A pond exempt from the need for a Department of the Army permit is not exempt from the Georgia Erosion and Sedimentation Control Act of 1975, as amended, or other State regulations.

JULIAN A RIGBY  
(Type or print name)

  
(Signature)

9/4/2015  
(Date)

**NRCS Certification:** I certify that this producer has been advised of the requirements as outlined in the NRCS Farm Pond Exemption Guide and in the Field Level Agreement between USACE and NRCS. For Agricultural Irrigation and Livestock Water Supply Ponds sufficient documentation has been provided that defends the need and size of the proposed pond.

STACY FLOYD PROGRAM ANALYST  
(Type or print name and title)

  
(Signature)

9/4/2015  
(Date)

203 SOUTH DIXON STREET  
(Street Address)

ALMA GA  
(City, State)

31510  
(Zip)

\*\*\*APPROVAL IS SUBJECT TO REVIEW BY THE UNITED STATES ARMY CORP OF ENGINEERS\*\*\*



Date: 9/2/2015

**Customer(s): JULIAN A RIGBY**

District: ALTAMAHA SOIL &amp; WATER CONSERVATION DISTRICT

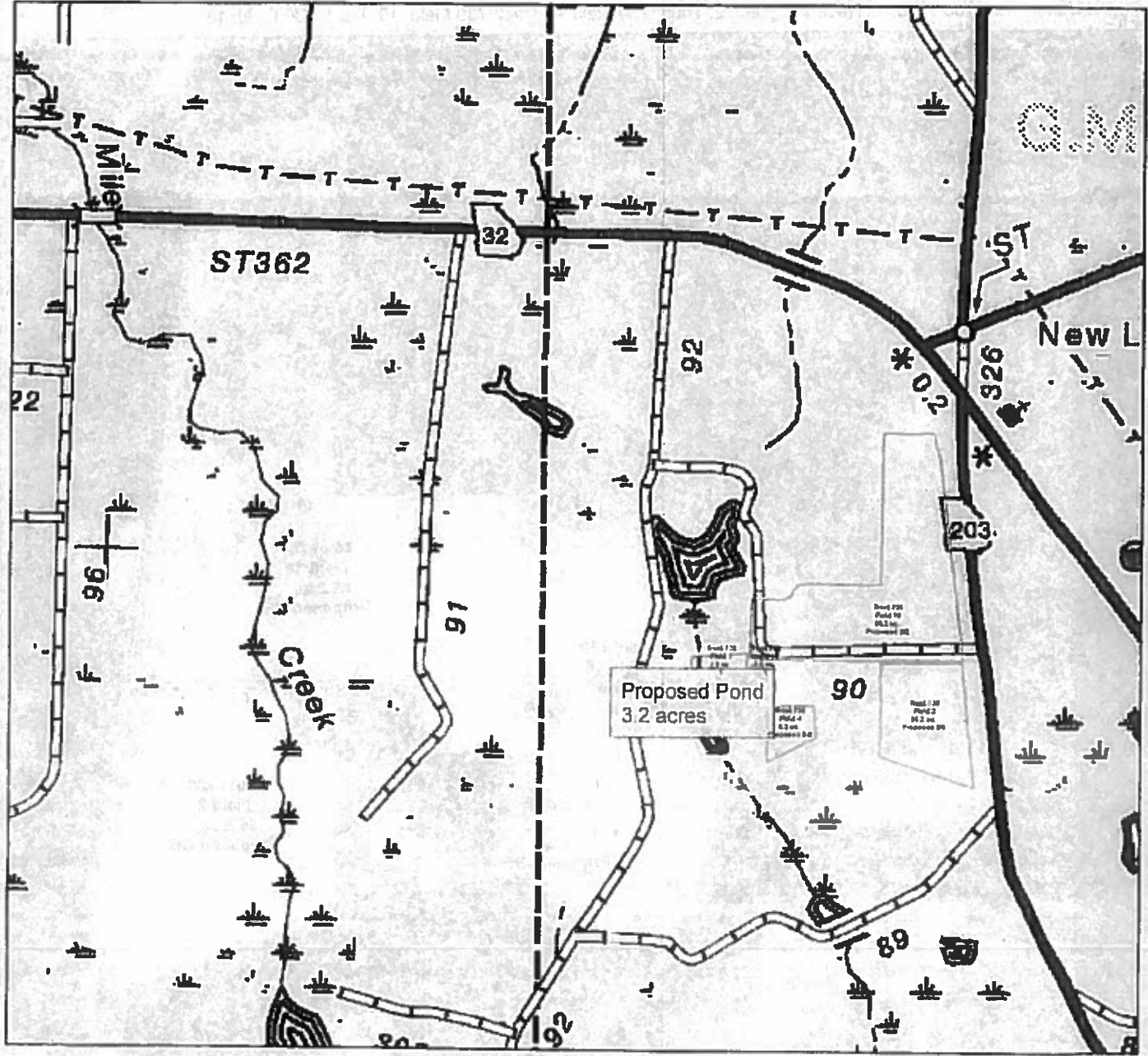
**State and County:** GA, Bacon County, Georgia

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD

**Land Units: Tract: 730 Field: 1, Tract: 730 Field: 2, Tract: 730 Field: 4, Tract: 730 Field: 16, Tract: 730 Field: 18**



### Legend

- ☐ MasterConsplan  
☒ Proposed Ponds



# FARM POND EXEMPTION

Date: 9/2/2015

Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

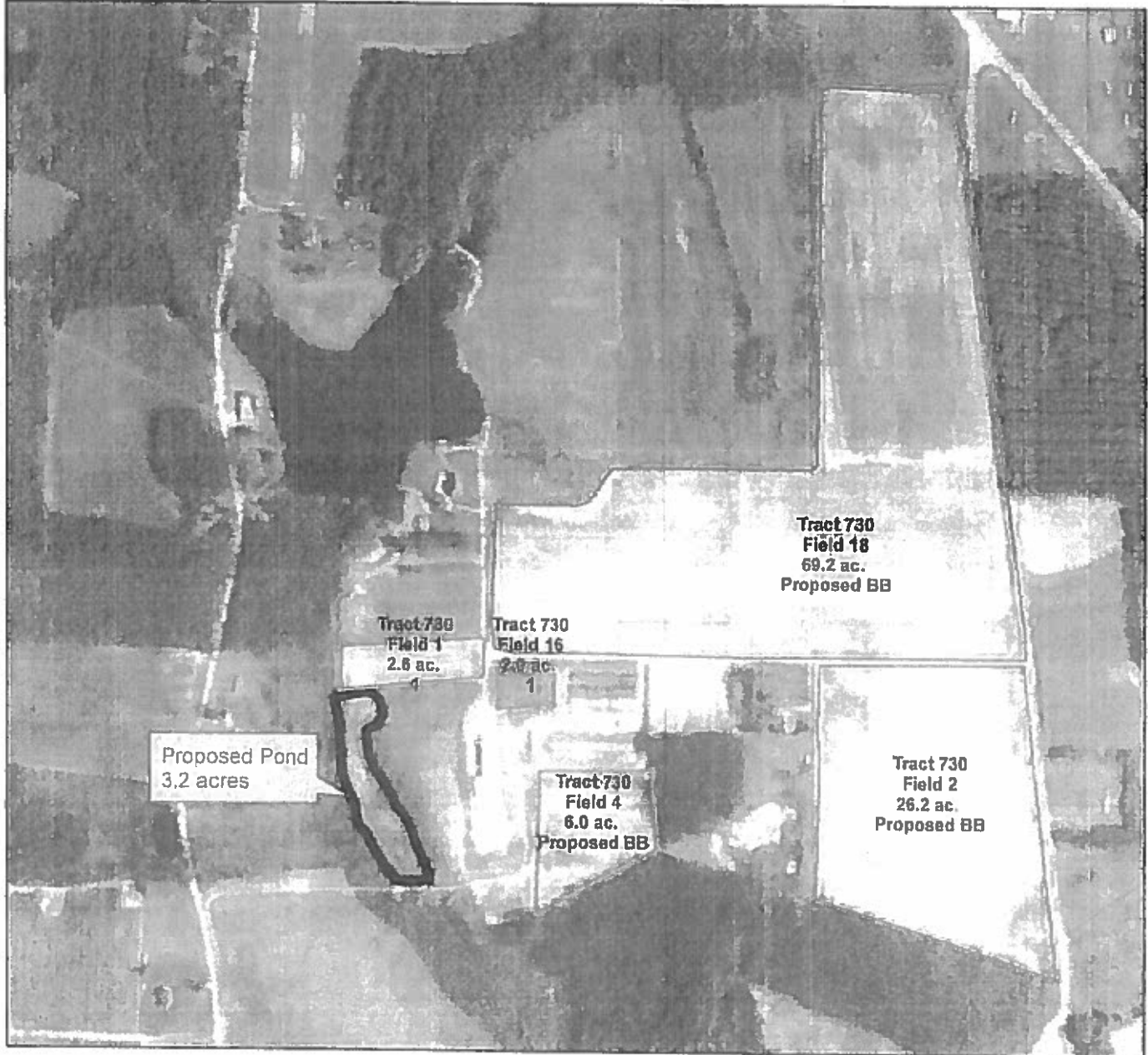
State and County: GA, Bacon County, Georgia

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD

Land Units: Tract: 730 Field: 1, Tract: 730 Field: 2, Tract: 730 Field: 4, Tract: 730 Field: 16, Tract: 730 Field: 18



## Legend

- ☐ MasterConsplan
- ☒ Proposed Ponds



400 0 400 800 1,200 1,600 Feet



# FARM POND EXEMPTION

Date: 9/2/2015

Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

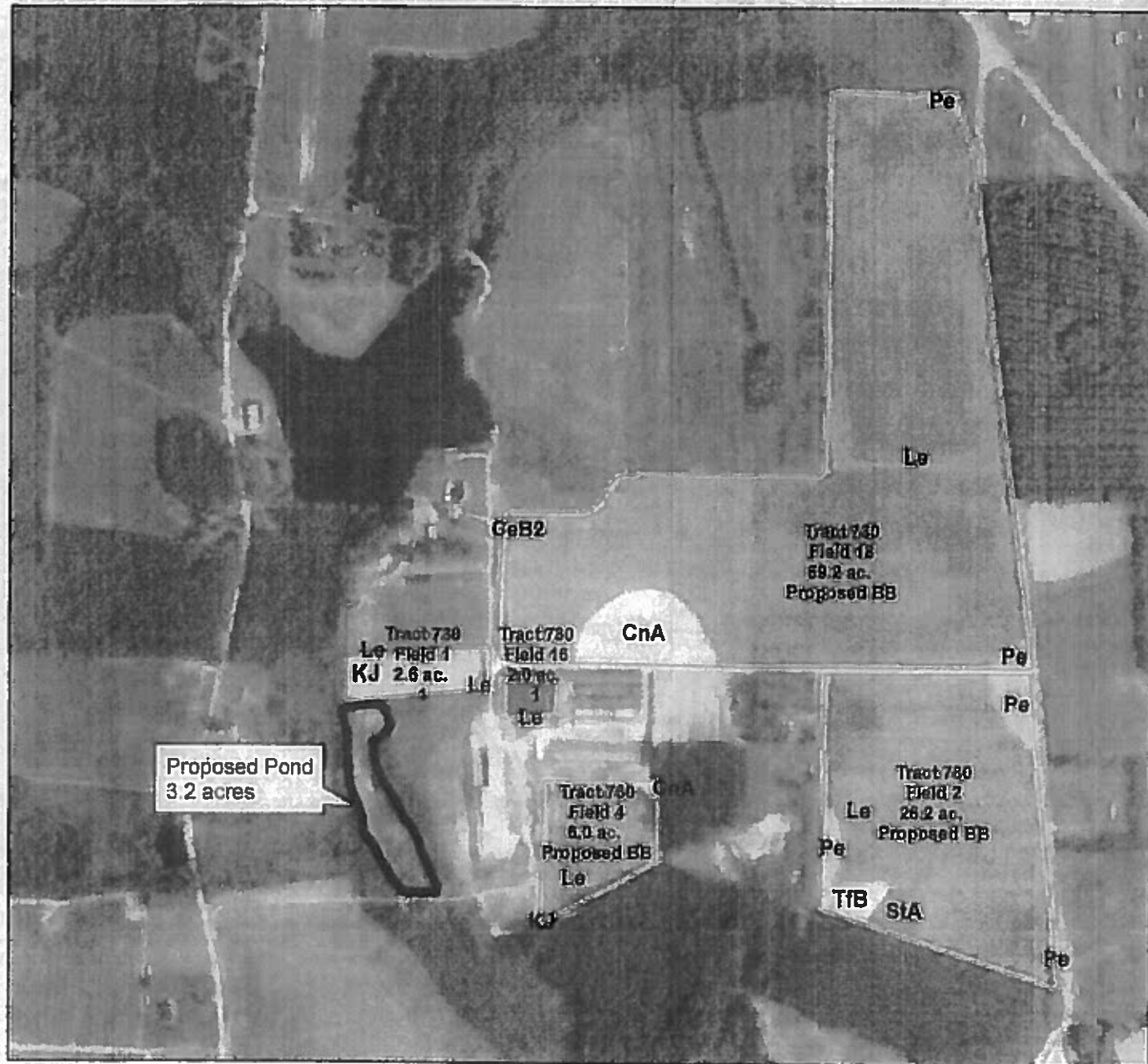
State and County: GA, Bacon County, Georgia

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD

Land Units: Tract: 730 Field: 1, Tract: 730 Field: 2, Tract: 730 Field: 4, Tract: 730 Field: 16, Tract: 730 Field: 18



## Legend

- |      |    |     |                |                |
|------|----|-----|----------------|----------------|
| CeB2 | KJ | Pe  | TtB            | MasterConsplan |
| CnA  | Le | StA | Proposed Ponds |                |





# FARM POND EXEMPTION

Date: 9/2/2015

Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

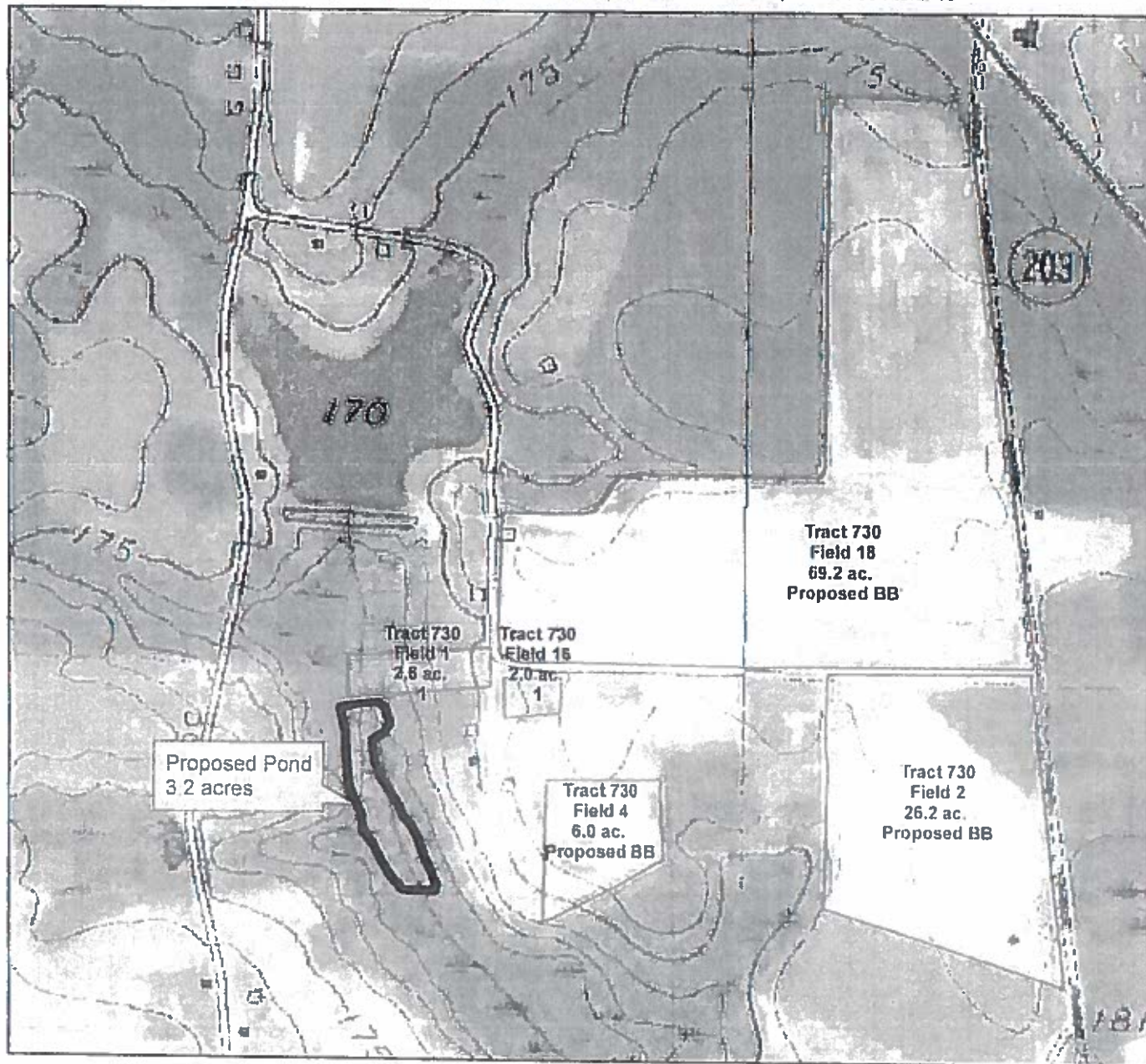
State and County: GA, Bacon County, Georgia

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: STACY FLOYD

Land Units: Tract: 730 Field: 1, Tract: 730 Field: 2, Tract: 730 Field: 4, Tract: 730 Field: 16, Tract: 730 Field: 18



## Legend

- ☐ MasterConsplan
- ☒ Proposed Ponds



400 0 400 600 1,200 1,800 Feet



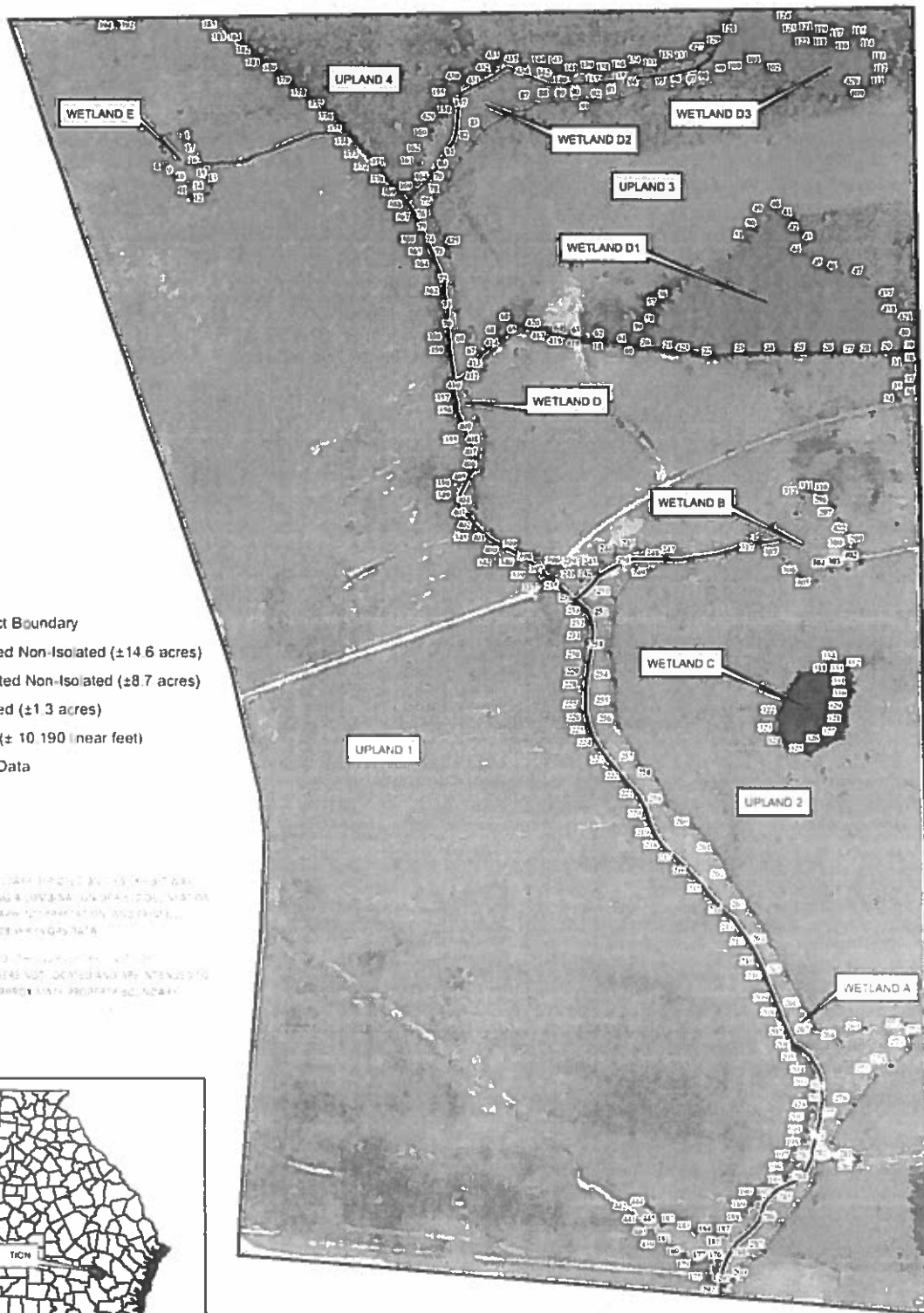
## Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

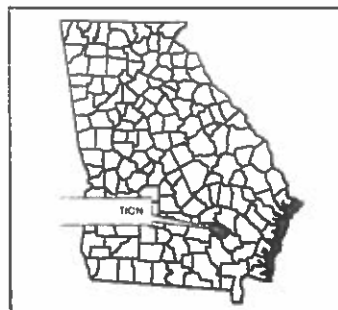


- Project Boundary
- Cleared Non-Isolated ( $\pm 14.6$  acres)
- Forested Non-Isolated ( $\pm 8.7$  acres)
- Isolated ( $\pm 1.3$  acres)
- Ditch ( $\pm 10$  190 linear feet)
- GPS Data

**NOTES**

1. WETLAND BOUNDARY LINES ARE BASED ON AERIAL PHOTOGRAPHY AND FIELD SURVEY DATA. WETLAND BOUNDARY LINES ARE NOT GUARANTEED TO BE EXACTLY AS SHOWN ON THIS MAP.

2. WETLAND BOUNDARY LINES ARE NOT GUARANTEED TO BE EXACTLY AS SHOWN ON THIS MAP. WETLAND BOUNDARY LINES ARE NOT GUARANTEED TO BE EXACTLY AS SHOWN ON THIS MAP.



**CURRENT WETLAND CONDITIONS  
PARCEL NUMBER 052-143002**

BACON COUNTY, GEORGIA

PREPARED FOR:  
MR. JULIAN RIGBY

DATE: OCTOBER 2014

COUNTY: BACON

PROJECT#: 14-021  
DATE: 10/22/2014  
DRAWN BY: RP  
CHECKED BY: AB  
DELINEATION DATE: AUG 2014  
SHEET: 1 OF 2



RLC

**RESOURCE+LAND  
CONSULTANTS**

419 Peachtree Commerce Way, Ste. 303  
Savannah, Georgia 31405  
912.481.5976 www.rlc-dc.com



## Map Unit Description

Atkinson, Bacon, and Coffee Counties, Georgia

**Map unit:** Pe - Pelham loamy sand, occasionally flooded

**Component:** Pelham (100%)

*The Pelham component makes up 100 percent of the map unit. Slopes are 0 to 2 percent. This component is on drainageways, coastal plains. The parent material consists of marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is occasionally flooded. It is not ponded. A seasonal zone of water saturation is at 6 inches during January, February, March, April. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 5w. This soil meets hydric criteria.*

**Map unit:** SA - Stilson loamy sand, 0 to 2 percent slopes

**Component:** Stilson (100%)

*The Stilson component makes up 100 percent of the map unit. Slopes are 0 to 2 percent. This component is on rises, coastal plains. The parent material consists of marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 33 inches during January, February, March, April, December. Organic matter content in the surface horizon is about 1 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.*

**Map unit:** TFB - Tifton loamy sand, 2 to 5 percent slopes

**Component:** Tifton (100%)

*The Tifton component makes up 100 percent of the map unit. Slopes are 2 to 5 percent. This component is on interfluvos, coastal plains. The parent material consists of marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 54 inches during January, February, March. Organic matter content in the surface horizon is about 1 percent. Nonirrigated land capability classification is 2u. This soil does not meet hydric criteria.*

## Map Unit Description

Atkinson, Bacon, and Coffee Counties, Georgia

[Minor map unit components are excluded from this report]

Map unit: CeB2 - Carnegie sandy loam, 3 to 5 percent slopes, eroded

Component: Carnegie (100%)

*The Carnegie component makes up 100 percent of the map unit. Slopes are 3 to 5 percent. This component is on hills, coastal plains. The parent material consists of marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.*

Map unit: CnA - Clarendon loamy sand, 0 to 2 percent slopes

Component: Clarendon (95%)

*The Clarendon component makes up 95 percent of the map unit. Slopes are 0 to 2 percent. This component is on flats, coastal plains. The parent material consists of marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 30 inches during January, February, March, December. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.*

Map unit: KJ - Kinston and Johnston soils, frequently flooded

Component: Kinston (60%)

*The Kinston component makes up 60 percent of the map unit. Slopes are 0 to 2 percent. This component is on flood plains, coastal plains. The parent material consists of alluvium. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. A seasonal zone of water saturation is at 6 inches during January, February, March, April, May, June, November, December. Organic matter content in the surface horizon is about 4 percent. Nonirrigated land capability classification is 6w. This soil meets hydric criteria.*

Component: Johnston (40%)

*The Johnston component makes up 40 percent of the map unit. Slopes are 0 to 2 percent. This component is on flood plains, coastal plains. The parent material consists of alluvium. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is very poorly drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is frequently flooded. It is frequently ponded. A seasonal zone of water saturation is at 0 inches during January, February, March, April, May, June, November, December. Organic matter content in the surface horizon is about 13 percent. Nonirrigated land capability classification is 7w. This soil meets hydric criteria.*

Map unit: Le - Leefield loamy sand

Component: Leefield (95%)

*The Leefield component makes up 95 percent of the map unit. Slopes are 0 to 2 percent. This component is on flats, coastal plains. The parent material consists of marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat poorly drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 24 inches during January, February, March, December. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 2v. This soil does not meet hydric criteria.*



## FARM POND EXEMPTION INFORMATION PAPER

PRODUCER INFORMATION					
Name:	JULIAN RIGBY				
Mailing Address:	214 EASON DR				
City, State, Zip Code:	ALMA GA 31510-4216			County:	BACON
POND INFORMATION <sup>1/2</sup>					
Primary Purpose of Pond (Check the applicable purpose)					
Agricultural Irrigation	<input type="checkbox"/>				
Livestock Water Supply	<input type="checkbox"/>				
Proposed Agricultural Irrigation	X <input type="checkbox"/>				
Proposed Livestock Water Supply	<input type="checkbox"/>				
Recreation (Non-Farm Pond)	<input type="checkbox"/>				
Size at Normal Pool (acres):	5.0 AC	Estimated Storage at normal pool (Ac-ft)	30 AC -FT	Lat	
<sup>1</sup> Non-Farm Ponds, Proposed Agricultural Irrigation Ponds, Proposed Livestock Water Supply Ponds and ponds having a normal pool size larger than 10 acres must be directed to the USACE. <sup>2</sup> Proposed Purposes are operations where the landowners are not currently irrigating crops or producing livestock					
AGRICULTURE OR LIVESTOCK PRODUCTION INFORMATION <sup>3</sup>					
Crop Type:	BLUEBERRIES	Cropped Acreage (ac.):	130ac.	Crop Water Needs (ac-ft)	195ac.-ft
Livestock Type	N/A	Herd Size (hd)	N/A	Livestock Water Needs (ac-ft)	N/A
				Additional Water Needs (ac-ft)	N/A
				Total Farm Water Needs (ac-ft)	195ac.-ft
<sup>3</sup> A water budget must be attached to this document justifying the above values					

### WATER BUDGET:

#### PROPOSED BLUEBERRIES TO BE IRRIGATED:

130 ACRES X 1.5 AC.FT. = 195 AC. FT. CROP NEEDS REQUIRED

#### PROPOSED POND:

5 SURFACE AREA ACRES X 15 FT DEEP X 0.4 SLOPE FACTOR = 30 AC. FT.

TOTAL CAPACITY FOR PROPOSED POND IS 30 AC. FT

TOTAL CROP NEED IS 195 AC. FT

**PROPOSED POND CAPACITY DOES NOT EXCEED CROP NEEDS**

(Exhibit 1)

Waters Name	Acres	Latitude	Longitude	Cowardin Code	HGM Code	Waters Type
Wetland A	7.86	31 548637	-82 375787	PEM1	Slope	RPWWN
Wetland A offsite	0.08	31 545322	-82 375998	PEM1	Slope	RPWWN
Wetland B	1.32	31 552397	-82 374792	PEM*	Depressional	RPWWN
Wetland C	1.29	31 550839	-82 374766	PEM*	Depressional	ISOLATED
Wetland D	1.97	31 554071	-82 378555	PEM1	Slope	RPWWN
Wetland D1	6.14	31 554543	-82 375017	PFO1	Slope	RPWWN
Wetland D2	2.92	31 556445	-82 377744	PSS1	Slope	RPWWN
Wetland D3	2.59	31 556890	-82 374853	PFO1	Slope	RPWWN
Wetland E	0.48	31 555958	-82 381446	PEM1	Depressional	RPWWN
Total Wetland	24.65					
Upland 1	125.65	31 550703	-82 379216	Upland	Upland	Upland
Upland 2	58.61	31 550889	-82 375342	Upland	Upland	Upland
Upland 3	25.93	31 555628	-82 376106	Upland	Upland	Upland
Upland 4	9.84	31 556866	-82 378514	Upland	Upland	Upland
Total Upland	220.04					

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Savannah, Georgia 31405  
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# FARM POND EXEMPTION

Date: 1/28/2014

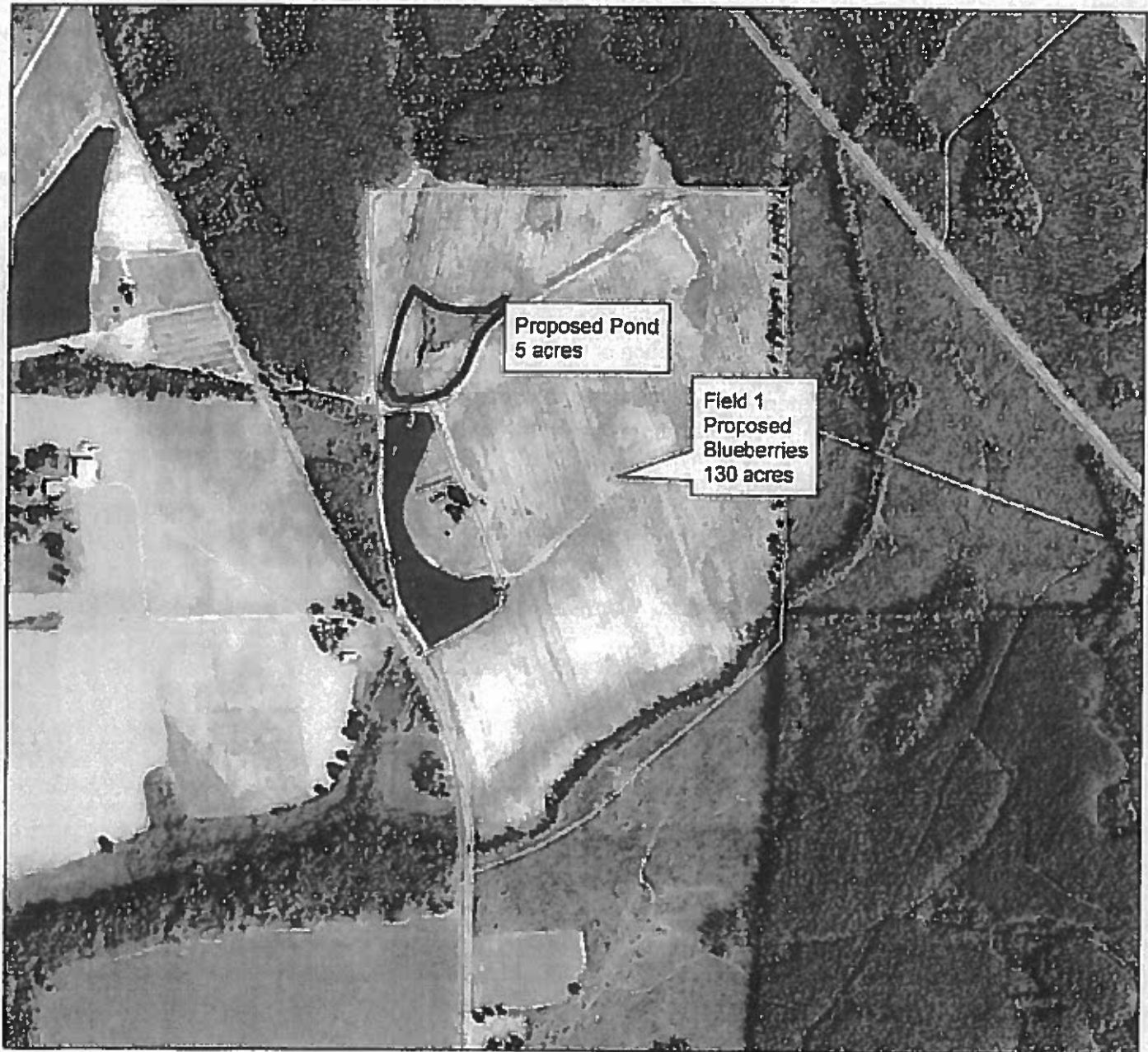
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: Stacy M Floyd



## Legend

-  Proposed Pond
-  ConsplanT-81233




470 0 470 940 1,410 1,880  
Feet



**Producer Certification:** I certify that the above information is accurate to the best of my knowledge. I understand that this exemption does NOT free me from obtaining any other federal, state or local permits for construction of the proposed pond. I understand that if any revisions are made to the project or its intended use, this exemption determination may be invalidated. Should it be determined that the pond has been converted to a non-agricultural use at any point, I may be required to obtain a Department of the Army permit in order to maintain the pond. Any Department of the Army permit application must include an alternatives analysis and mitigation and should a permit not be issued, restoration of the site may be required. A pond exempt from the need for a Department of the Army permit is not exempt from the Georgia Erosion and Sedimentation Control Act of 1975, as amended, or other State regulations

JULIAN RIGBY

(Type or print name)



(Signature)

1/28/2014

(Date)

**NRCS Certification.** I certify that this producer has been advised of the requirements as outlined in the NRCS Farm Pond Exemption Guide and in the Field Level Agreement between USACE and NRCS. For Agricultural Irrigation and Livestock Water Supply Ponds sufficient documentation has been provided that defends the need and size of the proposed pond

STACY FLOYD PROGRAM ANALYST

(Type or print name and title)



(Signature)

1/28/2014

(Date)

203 SOUTH DIXON STREET

(Street Address)

ALMA

(City, State)

31510

(Zip)



# FARM POND EXEMPTION

Date: 1/28/2014

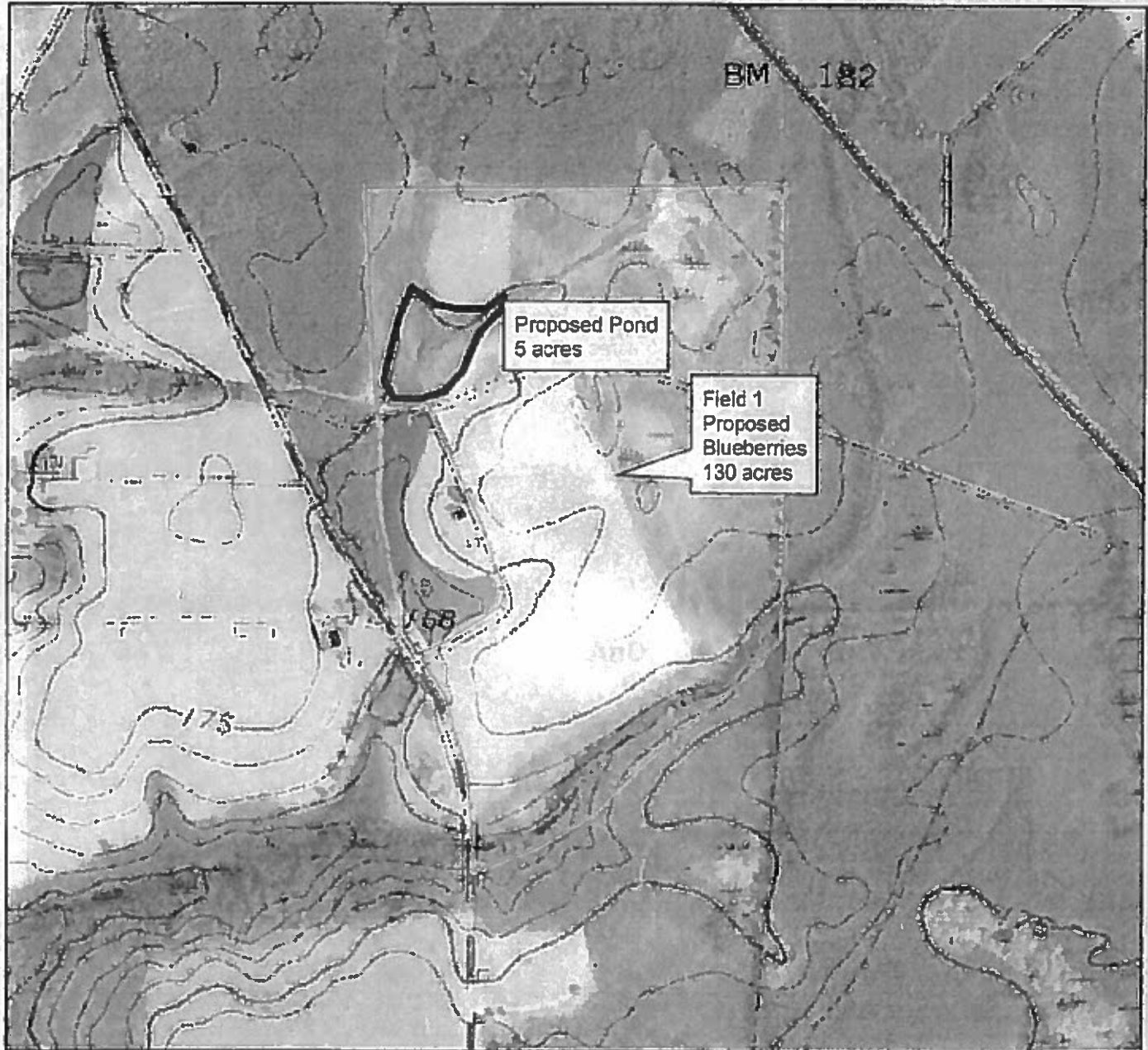
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: Stacy M Floyd



## Legend

□ Conspant-81233

■ Proposed Pond



470 0 470 940 1,410 1,880 Feet



# FARM POND EXEMPTION

Date: 1/28/2014

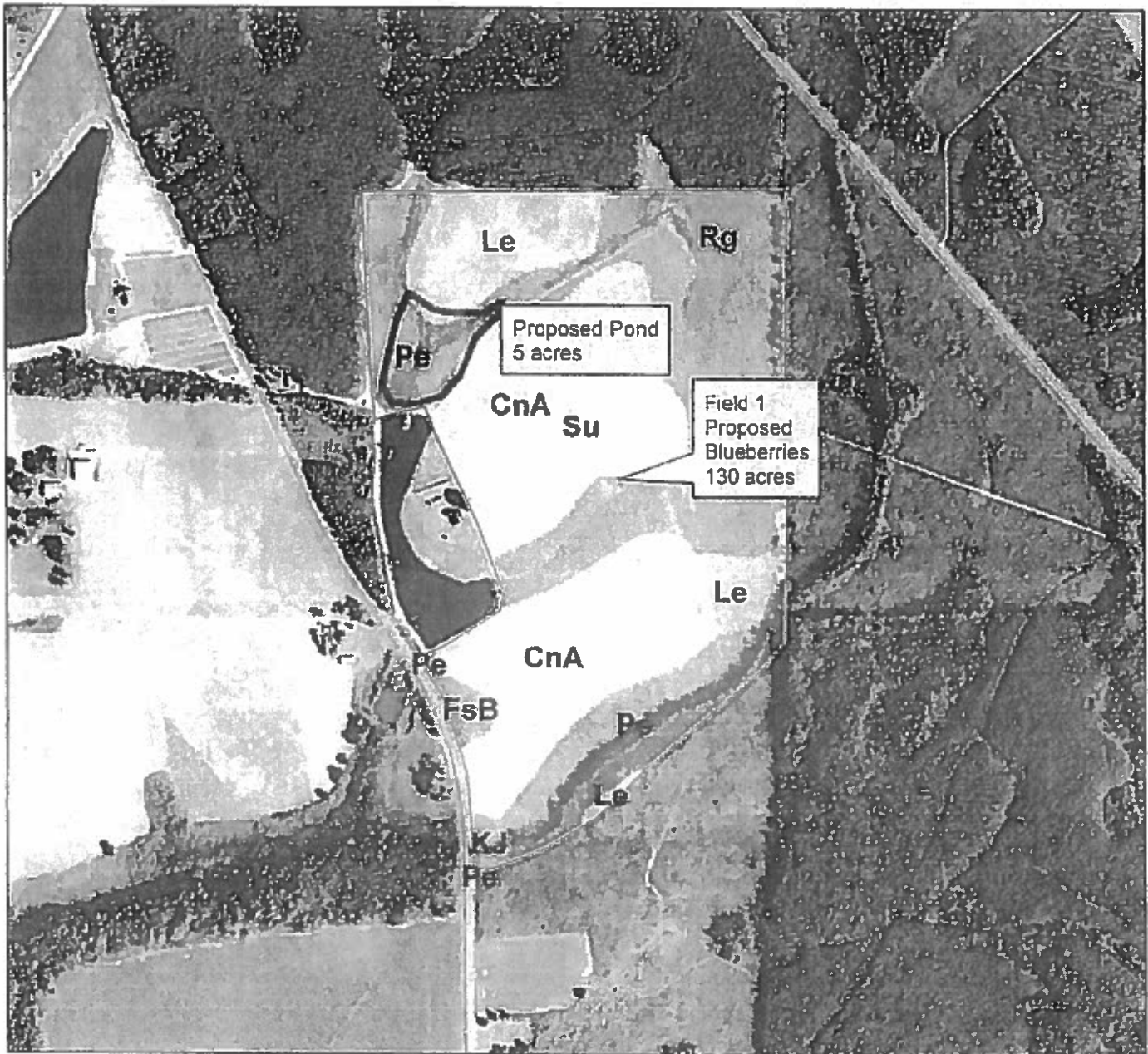
Customer(s): JULIAN A RIGBY

District: ALTAMAHA SOIL & WATER CONSERVATION DISTRICT

Field Office: ALMA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: Stacy M Floyd



## Legend

**Soils Map**

CnA	KJ	Pe	Su	ConsplanT-81233
CgC2	FsB	Le	Rg	Proposed Pond



470 0 470 940 1,410 1,880 Feet





# EXHIBIT A

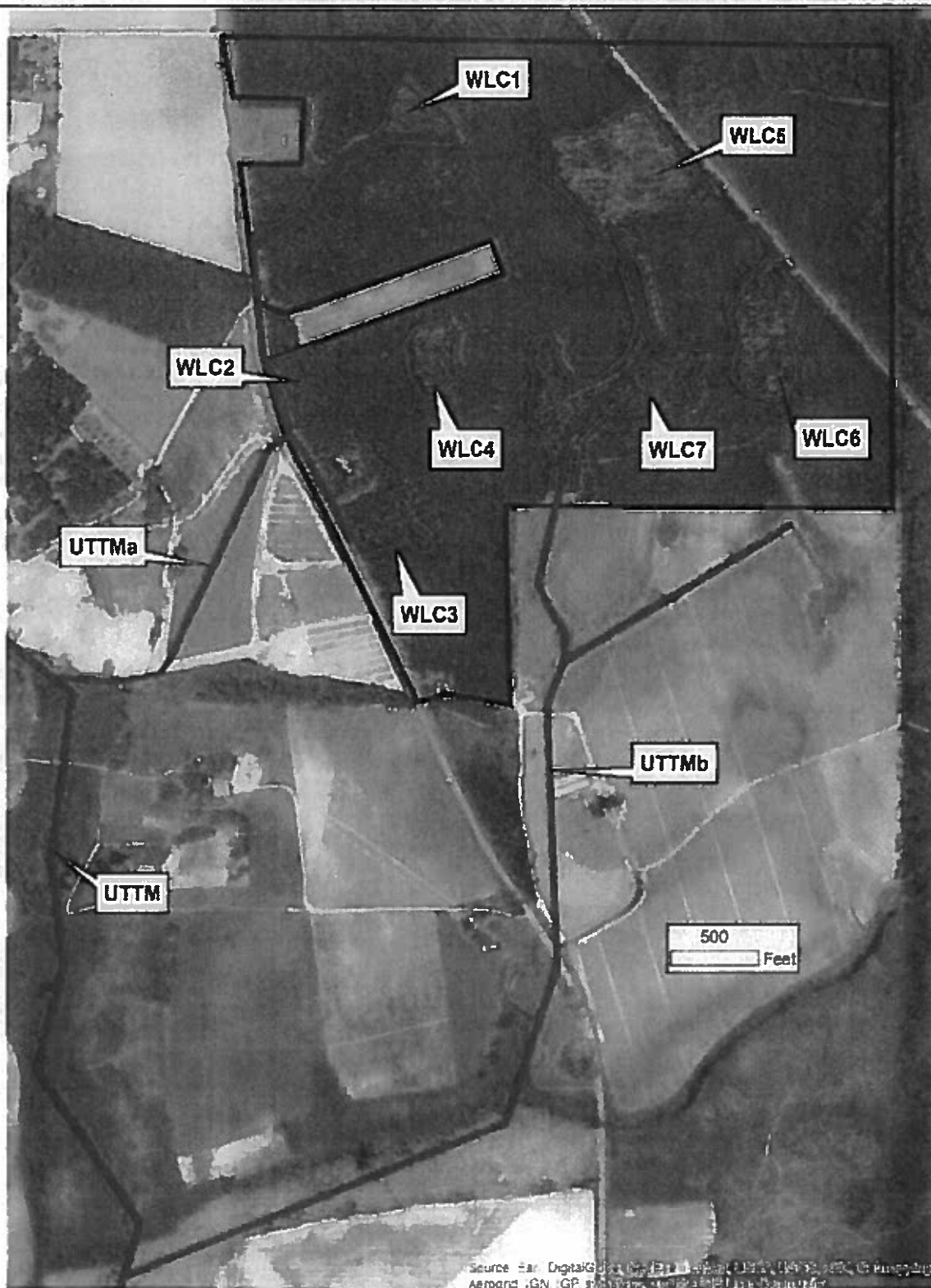
## Site B

Julian Rigby  
Bacon County,  
Georgia









# EXHIBIT A

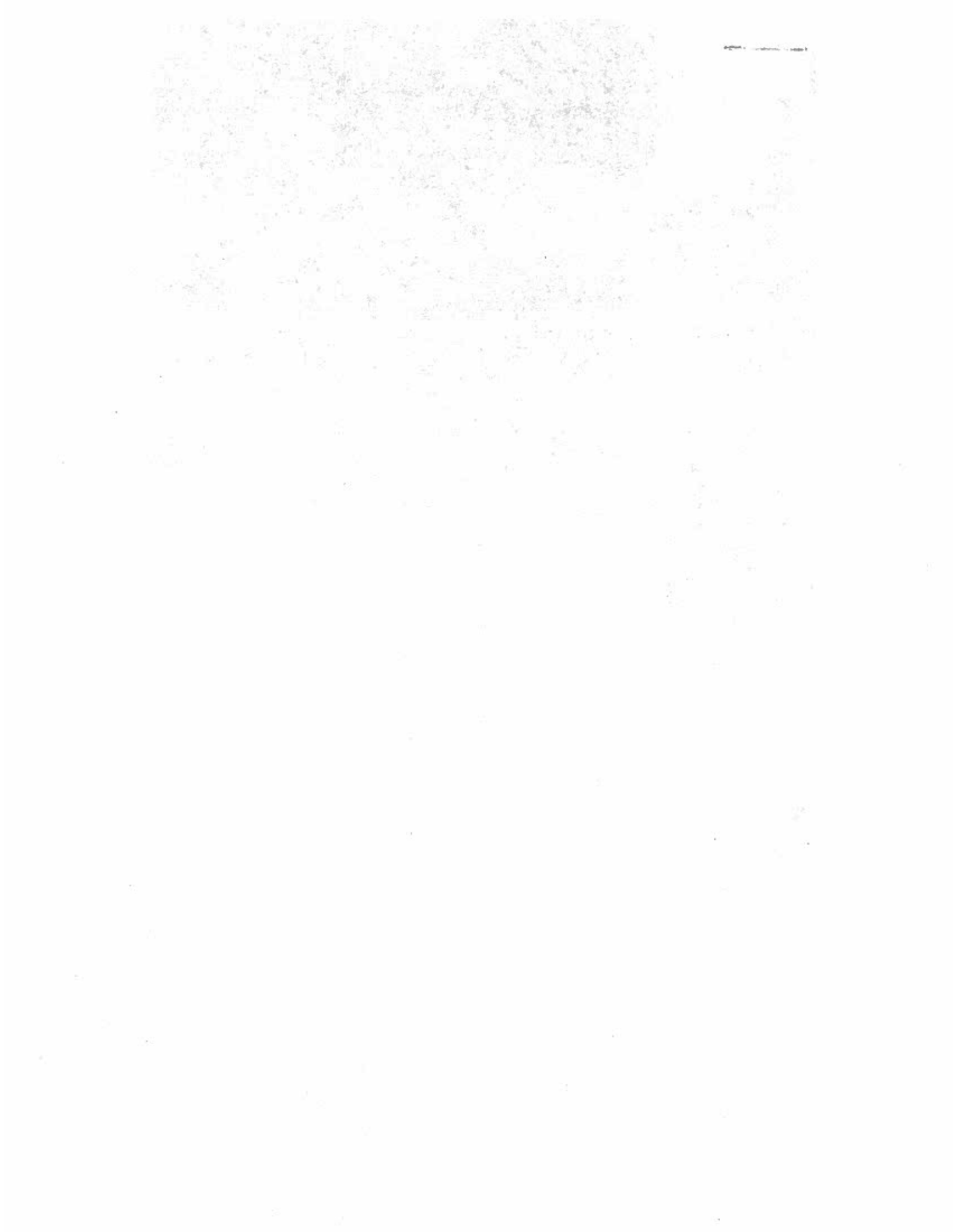
## Site C

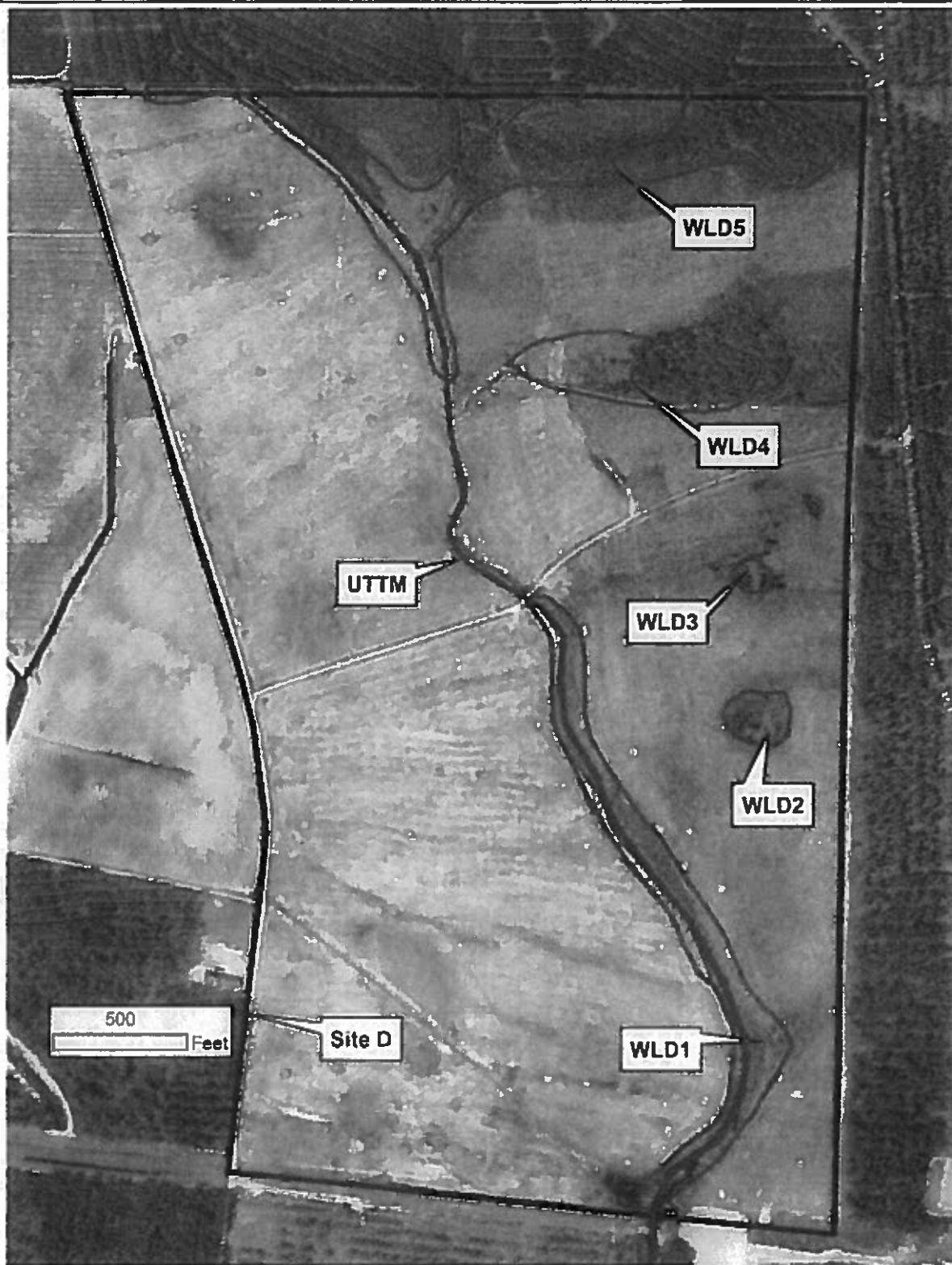
Julian Rigby  
Bacon County,  
Georgia



United States  
Environmental Protection  
Agency







# EXHIBIT A

## Site D

Julian Rigby  
Bacon County,  
Georgia

 **EPA** United States  
Environmental Protection  
Agency







Data SIO, NOAA, U.S. Navy, NGA, GEBCO  
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## EXHIBIT B

Julian Rigby  
Bacon County  
Georgia





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Mr. Julian Ribby  
Alma Brightleaf Blueberry Farms, Inc.  
214 Eason Drive  
Alma, GA 31510

SEP 13 2016

PS Form 3800, June 2002

See Reverse for Instructions

